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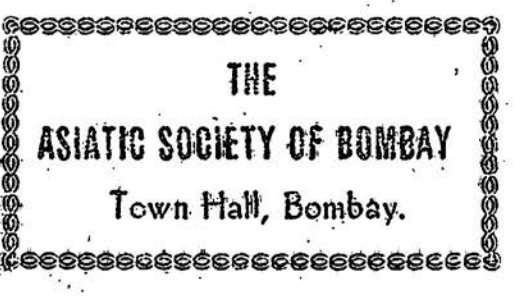

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PERSONAL

HISTORY OF LORD BACON.

FROM UNPUBLISHED PAPERS.

By WILLIAM HEPWORTH DIXON

OF THE INNER TEMPLE.

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FRANCIS BACON.

CHAPTER I.

THE BIOGRAPHERS.

1. A FINE wit has told the world that all men and women, all youths and girls, are true poets, save only those who write in verse. In such a saying, as in all good wit, there lies a core of truth. Men who have kept the poetry of their lives unshaped by art stand face to face with nature, seeing the blue sky, the bursting leaf, the hush of noon, the rising and setting sun, the green glade, the flowing sea, as these things are; not as they appear in books, cut off into lengths of lines, tricked into antithetical phrase, rounded and closed by rhyme. No false rule of art impels a man who sees and feels, but who does not mean to write or paint, to squint at a group of elms, to peer through his hand at moonlight shimmering on a lake, or at sunset on the tops of a range of hills; for such a man has no thought of how tree, lake, and alp may be described in verse of five or six feet, or of the lines in which this or that old painter would have framed them. He comes fresh to nature, and has an intimate and poetical relation to her. I. 1.

I. 2. 2. As with nature, so with man. That figure, decked by Pope,—

The wisest, brightest, meanest of mankind

—over which fools have grinned and rogues have rubbed their palms for more than a hundred years, has never yet been recognised by honest hearts. Men who trust the face of nature, not the point of satire, turn from this daub as from a false note in song, or from a painted living face. The young and pure reject satire, and they do well to reject it; for satire is the disease of art. The young and pure will not believe a thing true because it is made to look false. Taught by heaven, and not by rules, they judge of character in the mass. Nature abhors antitheses; loving the soft approach of dawn, the slow sprouting of the seed, and moving by a delicate gradation through her round of calm and storm, of growth and life. Her forks never flash from a blue vault, nor do her waves cease to crest when the wind which whipped them lulls. Gradation is her law. If she may make a god or devil, she will not put the two in one. That is the task of art; but of art in its lowest stage of depravity and decline.

3. Can you be good and evil, wise and mean? Gazing on the girl-like face in Hilyard's miniature, conning the deep lore of the Essays, toying with the mirth of the Apophthegms, lingering on the tale of a gay and pure, a busy and loving life,—how can they who judge by wholes and not by parts admit that one so eminently wise and good was also a false friend, a venal judge, a dishonest man?

4. Yet this comedy of errors has run its course from Alexander Pope to John Lord Campbell. Strange to say,

the grave writers have gone nearly as far astray from fact as those bright Parthians who, in choosing their shafts, look rather to the feather than the flight. With them Bacon is, in turn, abject, venal, proud, profuse—ungrateful for the gifts of Essex, mercenary in his love for Alice Barnham, callous to the groans of Peacham, servile in the House of Commons, corrupt on the judicial bench! I. 4.

5. The lie against nature in the name of Francis Bacon broke into high literary force with Pope. Before his day the scandal had only oozed in the slime of Welden, Chamberlain, and D'Ewes. Pope picked it, as he might have picked a rough old flint, from the mud; fanged it, poisoned it, set it on his shaft:

> Meanest of mankind!

What if it be a lie? May not a lie kill?

It was not the only scum which in Pope's day frothed to the head. What man then believed in nobleness, even in intellect, unless that intellect were of the lowest type or served the basest cause? The sole end of wit was defamation, the sole end of poetry vice. Of pure genius there was little, of high virtue less. All glorious characters, all serious things, if not gone wholly from the minds of men, lingered in their memories only to be reviled. When Bacon became the meanest of mankind, Raleigh was assailed, and Shakespeare driven from the stage. Rowe was tainting our national drama, St. John undoing our political philosophy, Hume training his mind through doubts of God for the task of painting the most manly passage of arms in all history as our greatest blunder and our darkest shame. How should Francis Bacon have escaped his share in this moral wreck?

I. 6. — 6. No man of rank in letters had yet soiled his fame; for the foes who had lived in his own age, who had danced with him in the Gray's Inn masques, or had bowed to him as he rode down to the House,—even those who, like Sir Robert Cecil and Sir Edward Coke, had most to fear from his gladiatorial strength, and in the madness of that fear pursued him with taunts and hate,—had never dreamt of denying that his virtues and his courage stood fairly in line with his vast abilities of tongue and pen. They had called him blind when they could not see, as he could, all the faces of an object. They had denied to his gratitude the strong vitality of his intellectual power. They had spoken of his vanity, of his presumption, of his dandyism, of his unsound learning and unsafe law; but the malice of these rivals had never strayed so far as to accuse him, to the ears of men who heard him in the House of Commons and met him at the tavern or the play, of a radical meanness of heart. Coke had called him a fool. Cecil had fancied him a dupe. But neither his rancorous rival at the bar, nor his sordid cousin at Whitehall, had ever thought him a rascal. That was the invention of a later time.

The age that took Voltaire to be its guide, found out that Bacon had been a rogue.

7. Since then he has been the prey of painters and pasquins; his offences deepening, darkening, as men have moved yet farther and farther from the springs of truth. Hume is comparatively fair to him. Hallam is less fair; though he will not, even for the sake of Pope, call Bacon the meanest of mankind. Lingard paints him with a more unctuous hate. Macaulay, in turn, is fierce and gay: his sketch of Rembrandt power: his lights too high,

his smears too black: noon on the brow, dusk at the heart. Nature never yet made such a man as Macaulay paints. I. 7.

8. But of all the sins against Francis Bacon, that of Lord Campbell is the last and worst. I wish to speak with respect of so bold and great a man as our present Lord Chancellor. He is one who has swept up the slope of fame by native power of heart and brain; in the proud course of his life, from the Temple to the Peerage, from the Reporters' Gallery to the Woolsack, I admire the track of a man of genius—brave, circumspect, tenacious, strong; one not to be put down, not to be set aside; an example to men of letters and men of law. But the more highly I rank Lord Campbell's genius, the more I feel drawn to regret his haste. In such a case as the trial of Bacon's fame he was bound to take pains; to sift every lie to its root; to stay his condemning pen till he had satisfied his mind that in passing sentence of infamy he was right, beyond risk of appeal. A statesman and a law-reformer himself, he ought to have felt more sympathy for the just fame of a statesman and law-reformer than he has shown. Not that Lord Campbell finds fault with Bacon where he speaks by his own lights. Indeed, there he is just. He has no words too warm for Bacon's reforms as a lawyer, for his plans as a minister, for his rules as a chancellor. When Lord Campbell knows his subject at first hand, his praise of his hero rings out clear and loud. But there is much in the life of Bacon which he does not know. He has not given himself time to sift and winnow. Like an easy magistrate on the bench, he has taken the pleas for facts. That is his fault, and in such a man it is a very grave fault.

I. 9. 9. What Hallam left dark and Campbell foul should be cleansed as soon as may be from dust and stain. It is our due. One man only set aside, our interest in Bacon's fame is greater than in that of any Englishman who ever lived. We cannot hide his light, we cannot cast him out. For good, if it be good, for evil, if it must be evil, his brain has passed into our brain, his soul into our souls. We are part of him; he is part of us; inseparable as the salt and sea. The life he lived has become our law. If it be true that the Father of Modern Science was a rogue and cheat, it is also most true that we have taken a rogue and cheat to be our god.

10. In front of all detail of fact, a general question must be put.

Bacon seemed born to power. His kinsmen filled the highest posts. The sovereign liked him; for he had the bloom of cheek, the flame of wit, the weight of sense, which the great Queen sought in men who stood about her throne. His powers were ever ready, ever equal. Masters of eloquence and epigram praised him as one of them, or one above them, in their peculiar arts. Jonson tells us he commanded when he spoke, and had his judges pleased or angry at his will. Raleigh tells us he combined the most rare of gifts; for while Cecil could talk and not write, Howard write and not talk, he alone could both talk and write. Nor were these gifts all flash and foam. If no one at the court could match his tongue of fire, so no one in the House of Commons could breast him in the race of work. He put the dunce to flight, the drudge to shame. If he soared high above rivals in his more passionate play of speech, he never met a rival in the dull, dry task of ordinary toil. Raleigh, Hyde, and Cecil had small

chance against him in debate; in committee Yelverton and Coke had none. E. 10.

Why was he left behind?

11. Other men got on. Coke became Attorney-General, Fleming Solicitor-General. Raleigh received his knighthood, Cecil his knighthood. He alone won no spur, no place. Time passed. Devereux became a Privy Councillor. Cobham got the Cinq Ports, Raleigh the patent of Virginia. Years again raced on. A new king came in, and still no change. Cecil became an Earl, Howard an Earl. What kept the greatest of them down? It was certainly not that he was hard like Popham, or crazed like Devereux, or gnarled like Coke. A soft voice, a laughing lip, a melting heart, made him hosts of friends. No child, no woman, could resist the spell of his sweet speech, of his tender smile, of his grace without study, his frankness without guile. Yet where he failed, men the most sullen and morose got on.

12. Why did he not win his way to place? He sought it: never man with more passionate haste; for his big brain beat with a victorious consciousness of parts: he hungered, as for food, to rule and bless mankind. This question must be met. While men of far lower birth and claims got posts and honours, solicitorships, judgeships, embassies, portfolios, how came this strong man to pass the age of forty-six without gaining power or place?

Can it have been because he was servile and corrupt?

13. Rank and pay, the grace of kings, the smiles of ministers, were in Bacon's days, as in other days before and since, the wages of men who knew how to sink their views, to spend their years, to pledge their thought, their love,

I. 13. their faith, for a yard of ribbon or a loaf of bread. If Bacon were a man prostituting glorious gifts and strong convictions for a beck or nod, a pension or a place, why did he not rise? why not grow rich? If he were a rogue, he must have sold his virtue for less than Popham, his intelligence for less than Coke. How, then, could he be wise?

Wisest and meanest—there is the rub! But turn the case round. How if his virtues, not his vices, kept him down so long? How if his honesty, tolerance, magnanimity, not his heartlessness, his servility, and his corruption, caused his fall?

14. Look at the broad facts of the man's life first. Small facts may be true, broad facts must be true. One day in a man's course is hard to judge; a year less hard; a whole life not at all hard. It is the same in nature. Watch for one night the track of a planet. Can you say if it move to the right or left? You are not sure. It seems to go back. It seems to go on. Watch it for a month, and you find that its path is forward. Is the star in fault? Not in the least. It is your own base that moves. Look at any chasm, peak, or scar on the earth's face: you see the earth jagged, crude, motionless. Take in the whole orb at once: you find it smooth, round, beautiful, and swift. In Bacon's own words, a wise man "will not judge the whole play by one act." Still less by one scene, one speech, one word, will he judge.

In taking Bacon's course as a whole what do we find? A man born to high rank, who seeks incessantly for place, who is above all men and by universal testimony fit for power; yet one who passes the age of forty-six before he gets a start; one who, after serving the Crown for more

than fourteen years in the highest offices of the most lucrative branch of the public administration, dies a poorer man than he was born.

15. Bacon was fifty-two when he became Attorney-General; fifty-seven when he became Lord Chancellor. For one who had been Elizabeth's young Lord Keeper at ten, who had been a bencher of Gray's Inn at twenty-six, Lent Reader at twenty-eight, this rise in his profession came late in life; later than it came to barristers who could boast of neither his personal force nor his father's official rank.

Coke was Attorney-General at forty-two. Egerton was Lord Keeper at forty-six; Bromley Lord Chancellor at forty-seven, Hatton at forty-eight.

It was much the same at Court as at the Bar. Youth was at the prow and beauty at the helm. At twenty-two Sydney went ambassador to Vienna; at thirty he went governor to Flushing. At twenty-six Essex was a Privy-Councillor; at twenty-nine Commander-in-Chief. At thirty-two Raleigh received his powers to plant Virginia.

16. Again: if Francis Bacon rose later in life than Egerton or Coke, even after he had risen to the loftiest summit of the Bar he won for himself none of the sweets of office. Alone among the great lawyers of his time he died poor. Hatton left a prince's wealth. Egerton founded the noble house of Ellesmere, Montagu that of Manchester. Coke was one of the richest men in England. Popham bequeathed to his children Littlecote and Wellington. Bennet, Hobart, Fleming, each left a great estate. How explain this rule and this exception?

Surely they are not explained by the theory that

I. 16. Bacon's servility held him down, while Coke's servility sent him up; that Bacon's corruption kept him poor, while Popham's corruption made him rich!

17. To judge a man's life in mass may not be the way to please a Cecil or a Coke; the libidinous statesman who made love to Lady Derby, who sold his country for Spanish gold, who gave power to his infamous mistress Lady Suffolk to vend her smiles; or the acrid lawyer who jibed at Raleigh, who married a jilt for her money, who gave his daughter for a place. Nor is it the way to please those painters and lampooners who prefer dash to truth; for a man so judged is not to be hit on paper in a mere smudge of black and white, by dubbing him wise and mean, sage and cheat, Solomon and Scapin, all in one.

18. The lie, it may be hoped, is about to pass away. An editor worthy of Bacon has risen to purge his fame. Such labours as those undertaken by Mr. Spedding demand a life, and he has not scrupled to devote the best years of an active and learned manhood to the preliminary toil. Lord Bacon's Literary, Legal, and Philosophical Works are already before the world in seven of Mr. Spedding's princely volumes, printed and noted with the most skilful and loving care. Three or four volumes of Occasional and Personal Works are still to come, for which we may have to wait as many years. Meanwhile, the appearance of this new edition has drawn men's thoughts to the character of Bacon as painted by his foes; and the instinct, strong as virtue, to reject the spume of satire and falsehood, has sprung at the voice of Mr. Spedding into lusty life. To aid in some small part in

this good work of obtaining from men of letters and science a reconsideration of the evidence on which true judgment will have to run, the new facts, the new letters, the new documentary illustrations comprised in this Review of the Personal History of Lord Bacon are given to the world. I. 18.

CHAPTER II.

EARLY YEARS.

II. 1. — 1561. Jan. 22.

1. SWEET to the eye and to the heart is the face of Francis Bacon as a child. Born among the courtly glories of York House, nursed on the green slopes and in the leafy woods of Gorhambury; now playing with the daisies and forget-me-nots, now with the mace and seals; one day culling posies with the gardener or coursing after the pigeons (which he liked, particularly, in a pie), the next day paying his pretty wee compliments to the Queen; he grows up into his teens a grave yet sunny boy; on this side of his mind in love with nature, on that side in love with art. Every tale told of this plaything of the court wins on the imagination: whether he hunts the echo in St. James's Park, or eyes the juggler and detects his trick, or lisps wise saws to the Queen and becomes her young Lord Keeper of ten. Frail in health, as the sons of old men mostly are, his father's gout and stone, of which he will feel the twinge and fire to his dying day, only chain him to his garden or his desk. When thirteen years of age he goes to read books under Whitgift at Cambridge; when sixteen to read men under Paulett in France. If he is young, he is still more sage. A native grace of soul keeps off from him the rust of the cloister no less than the stain of the world. As Cambridge fails to dry him into Broughton, Paris and

1. Sir Amias Paulett's Despatches in the Cott. MSS., Calig. E. vii. 3, 8, 16, 31, 57; Lady Bacon to Anthony Bacon, Lambeth MSS. 651, fol. 54; Bacon to Lady Paulett, Lambeth MSS. 649, fol. 214.

Poictiers fail to melt him into Montjoy. The perils he escapes are grave; the three years spent under Whitgift's hard, cold eye being no less full of intellectual snares than are the three years spent in the voluptuous court of Henri Trois, among the dames and courtiers of France, of moral snares. In the train of Sir Amias Paulett, he rides at seventeen with that throng of nobles who attend the King and the Queen-Mother down to Blois, to Tours, to Poictiers; mixes with the fair women on whose bright eyes the Queen relies for her success, even more than on her regiments and fleets; glides in and through the hostile camps, observes the Catholic and Hugonot intrigues, and sees the great men of either court make love and war. But Lady Paulett, kind to him as a mother, watches over his steps with care and love,—a kindness he remembers and repays to the good lady, and to her kin, in later years. For him the d'Agelles sing their songs, the Tosseuses twine their curls in vain. II. 1. 1577.

2. No one lapse is known to have blurred the beauty of his youth. No rush of mad young blood ever drives him into brawls. To men of less temper and generosity than his own—to Devereux and Montjoy, to Percy and Vere, to Sackville and Bruce—he leaves the glory of Calais sands and Marylebone Park. If he be weak on the score of dress and pomp; if he dote like a young girl on flowers, on scents, on gay colours, on the trappings of a horse, the ins and outs of a garden, the furniture of a room; he neither drinks nor games, nor runs wild and loose in love. Armed with the most winning ways, the most glozing lip at court, he hurts no husband's peace, he drags no woman's name into the mire. He seeks no victories

2. Sylva Sylvarum, x. 946, 986.

II. 2. like those of Essex; he burns no shame like Raleigh into the cheek of one he loves. No Lady Rich, as in Sydney's immortal line, has cause

To blush when *he* is named.

When the passions fan out in most men, poetry flowers out in him. Old when a child, he seems to grow younger as he grows in years. Yet with all his wisdom he is not too wise to be a dreamer of dreams; for while busy with his books in Paris he gives ear to a ghostly intimation of his father's death. All his pores lie open to external nature. Birds and flowers delight his eye; his pulse beats quick at the sight of a fine horse, a ship in full sail, a soft sweep of country; everything holy, innocent, and gay acts on his spirits like wine on a strong man's blood. Joyous, helpful, swift to do good, slow to think evil, he leaves on every one who meets him a sense of friendliness, of peace and power. The serenity of his spirit keeps his intellect bright, his affections warm; and just as he had left the halls of Trinity with his mind unwarped, so he now, when duty calls him from France, quits the galleries of the Louvre and St. Cloud with his morals pure.

1579. 3. At the age of eighteen he fronts the world. The staff of his house being broken, as the dream had told him, he hies home from France to Lady Bacon's side. The Lord Keeper had not been rich, and his lands have passed to his son by a former wife. Ann Lady Bacon is left a young widow with two sons, Anthony and Francis, a meek, brave heart, and a slender fortune; a little family of three persons, who make up in love for each other all

3. Lord Bacon to Burghley, Lansdowne MSS., xliii. 48; Lady Bacon to Anthony Bacon, Lambeth MSS. 648, 649, 650. The portrait of Lady Bacon by Nathaniel is at Gorhambury.

that they lack in pelf. Lady Ann, the Olympia Morata of Elizabeth's court, is one of five sisters, daughters of that fine old scholar who drugged King Edward with Latin verse, Sir Anthony Cook of Giddy Hall in Essex; all the five pious and learned as so many Muses, but unlike the Muses all made happy wives; Mildred by Lord Burghley, Ann by the late Lord Keeper, Katharine by Sir Henry Killigrew, Elizabeth first by Sir Thomas Hoby and next by John Lord Russell, Margaret, the youngest sister of the five, by Sir Ralph Rowlet. So that Francis claims through his mother close cousinry with Sir Robert Cecil, with Elizabeth and Anne Russell, with the witty and licentious race of Killigrews, and with the future statesman and diplomatist Sir Edward Hoby. Lady Ann is deep in Greek and in divinity; her translation of Jewell's 'Apology' is praised by the best critics, and has been printed for public use by orders from the Archbishop of Canterbury; yet the good mother is not more at home with Plato and Gregory than among her herbs, her game, her stewpans, and her vats of ale. Nathaniel Bacon, with hearty humour and a play upon her name and habits, has made a portrait of her dressed as a cook and standing in a litter of dead game. She is very pious: in the words of her son "a Saint of God." Not quite a Puritan herself, she feels a soft and womanish sympathy for men who live the gospel they proclaim; brings up her sons in charity with all Protestant creeds; hears the preachers with profit; and without any air of patronage and protection towards them, speaks to her great kinsman, the Lord Treasurer, the word which spoken in season is quick to save. A bright, keen, motherly lady; apt, as good women are, to give advice. To her, her famous children are always two little boys, who need to be corrected, physicked, and fed:

II. 3. — 1579.

II. 4. — 1579. when they are forty years old, and filled with all knowledge of men and books, she not only sends them game from her own larder and strong beer from her own casks, having no great faith in other people's work, but lectures them on what they shall eat and drink, when they shall purge or let blood, how far they may ride or walk or drive in a coach, when they may safely eat supper, and at what hour in the morning they shall rise from bed.

4. Lady Ann lives at Gorhambury. Anthony is abroad, now in France, now in Italy, now in Navarre, conning the languages and manners, the politics and events, of these famous lands. Francis falls to his terms at Gray's Inn, seeks the help of his great kinsman Burghley, and finds a seat in the House of Commons for himself at the age of twenty-three.

1580. July 11. A letter, now to be put in type, will show that he has fixed his tent at Gray's Inn as early as the summer of 1580, a few months after his nineteenth year. This note is curious as the earliest known piece of writing from his hand, and as a sample of his boyish style. Macaulay dwells on the change from his early to his later manner ; the statuesque severity of that of his youth compared against the glow, the imagery, the wit, the licence, and the colour of that of his later time. At twenty Mino, at forty he had grown into Raffaelle. How grave, how cold this message to Mr. Wylie !

BACON TO MR. WYLIE.

MR. WYLIE, From Gray's Inn, 11 of July, 1580.

This very afternoon, giving date to these letters of mine, I received yours by the hands of Mr. Wimbanke,

4. Gray's Inn Reg., cited in Craik's Bacon, i. 12; Bacon to Wylie, July 11, 1580, in Lambeth MSS. 647, fol. 14.

II. 4. — 1580. July.

and to the which I thought convenient not only to make answer, but also therein to make speed, lest, upon supposition that the two letters enclosed were, according to their directions, delivered, you should commit any error, either in withholding your letters so much the longer when peradventure they mought be looked for, or in not withholding to make mention of these former letters in any other of a latter despatch. The considerations that moved me to stay the letters from receipt, whether they be in respect that I take this course to be needless or insufficient or likely to lead to more inconvenience otherwise than to do good, as it is meant in some such, they are that they prevail with my simple discretion, which you have put in trust in ordering the matter to persuade me to do as I have done.

My trust and desire likewise is that you will report (?) and satisfy yourself upon that which seemeth good to me herein, being most privy to the circumstances of the matter, and tendering my brother's orders as I ought, and not being misaffected to you neither, by those at whom you glance, while I know whom you mean. I know likewise that you mean amiss; for I am able, upon knowledge, to acquit them from being toward [in ?] this matter. For mine own part, truly, Mr. Wylie, I never took it that your joining in company and travel with my brother proceeded not only of good will in you, but also of his motion, and that your mind was always rather by desert than pretence of friendship to earn thanks than to win them. Neither would I say this much to you, if I would shrink to say it in any place where the contrary was inferred: and in that I rectified my brother of this matter being delivered unto me for truth. I had this consideration that among friends more advertisements are profitable than true. My

II. 4. 1580. July. request to you is, that you will continue and proceed in your good mind towards my brother's well-doing; and although he himself can best both judge and consider of it, yet I dare say withall that his friends will not be unthankful to misconstrue it, but ready to acknowledge it upon his liking. And as for this matter, as you take no knowledge at all of it, I will undertake it upon my knowledge that it shall be the better choice. Thus betake I you to the Lord.

Your very friend,

FR. BACON.

1585. Nov. 23. Though he enters the House of Commons, he finds no public work. Not that Burghley pets and lures him only to chain him fast; the great Protestant minister is a man too high and noble for such a part, nor can Englishmen afford to soil his fame. Bacon, at least, never dreams that his uncle plays him false. That he does not push him with all his might is true: but this may be, not because he dreads in him a rival to his son, as is often said, so much as because, being old and timid, fearful of adventure and speculation, of risking those measures of Religion and State in which his name is for ever bound up, he dreads the daring and original genius of his nephew, apt, he may think, in his flush of youth and intellectual strength to dash at success, to fly at the nearest road, to bridle and ride the popular storm.

5. Rawley, Mallet, Montagu, and Lord Campbell have in turn slurred the ten or twelve years in which Bacon grows from a boy of nineteen into a man of thirty or thirty-one, though in drama and instruction these years

5. Willis, Notitia Parliamentaria, iii. 101, 113, 121; D'Ewes, 337.

hold rank among the noblest of his life. The writers set him high on the stage for the first time in 1592, when he is thirty-one. "In the parliaments which met in 1586 and 1588," says Lord Campbell, "he had been returned to the House of Commons; but he does not seem to have made himself prominent by taking any decided part for or against the Crown." II. 5. — 1585. Nov.

What is the truth? In 1592 he is returned to parliament for Middlesex, the most wealthy, liberal, independent shire in England—the West Riding of the time and of long succeeding times. He is young, poor, out of place. He is even out of favour, since his uncle has turned from the young reformer his powerful face. Having neither rood of land nor hope of inheritance within the shire, the squires and freeholders of Middlesex choose him. Why, and how? Did penniless genius ever start in life by winning the first constituency in the realm? Burke wooed the electors of Wendover before he dreamt of Bristol. Pitt began with Appleby, and only at his height of power won the University of Cambridge. Brougham suffered defeat at Liverpool, and was glad to sit for Knaresborough, ere he tried to conquer the West Riding. So with Bacon. Service and success, of which the writers have never heard, lifted him to the height of Middlesex. When he rose at Brentford in 1592, he spoke to freeholders who knew his name and voice, not only as one of the most youthful, but as one of the most daring and effective members of a former House.

Bacon indeed served in Parliament prior even to the sessions of 1586 and 1588. He entered the House of Commons in 1585, when he was only twenty-four. He then sat for Melcombe. In the Parliament of 1586 he sat for Taunton, and in that of 1588 for Liverpool.

II. 6. 1585. Nov.

6. These three sessions not stirring! The author of Tom Jones has a passage on the advantage of a writer knowing his subject; the great humourist should have told us of the ease and comfort which a writer finds in *not* knowing his subject. Will not his soul be more at peace? No truth will curb the freedom of his judgment—no fact interrupt the flow of his style. See how Hallam hesitates and halts! He knows too much. Only your blind horse will leap into the chasm, or wait his death-gore from the horn of a bull.

A month at books on any subject will not weight one much. A diplomatist used to say that when he had been four weeks in London he felt able to write a book on English life; when he had been a year, he had doubts if he yet understood the whole of his theme; when he had been ten years, he gave up the book in despair.

Not stirring! Why, the three sessions in which Bacon serves his parliamentary apprenticeship, though slipped as void and waste by his biographers, abound in scenes of high and tragic conflict—scenes in which he plays an active and conspicuous part, and which colour and shape for him the course of his political life. These three sessions have to save the liberties of England, the faith of nearly half of Europe. They crush the Jesuits, they found the Defence Association; they send out Raleigh to plant new States, they lay Mary on the bier at Fotheringay, they break and punish the Romanist conspiracies, they shatter and disperse the Invincible Armada!

7. Nor are these early Parliaments less bright in composition than brave in deed. On swearing the oaths

6. D'Ewes, 332, 439; Townshend, i. 29.
7. Not. Parl., iii. 99, 107; Bacon's Essays, No. 3.

as member for Melcombe, Bacon takes his seat on the same benches with the chief lights of law and government —with Hatton and Bromley, Egerton and Walsingham—as well as near those younger glories of the Court, the poets and warriors to whom secretaries of state are but as clerks, with Sir Philip Sydney, Sir Walter Raleigh, Sir Francis Drake, Sir Charles Blount, and hosts of others scarcely less renowned than these in love and war. II. 7. — 1585. Nov.

Yet from the ranks of this group he leaps like fire into fame. Burke's spring was not so high, Pitt's popularity was not so wide. At twenty-five he has won the ear of that fastidious House. Wit so radiant, thought so fresh, and lore so prompt, have not before (and have never since) been heard within those famous walls. Yet his hold on the men of his generation is due less to an intellectual than to a moral cause. They trust him, for he represents what is best in each. The slave of Whitgift, the dupe of Brown, can each give ear to a churchman who seeks reform of the church, a lawyer eager to amend the law, a friend of the Crown pleading against feudal privileges and unpopular powers. When a colleague proposes some change in the church which would destroy it, he replies to him: "Sir, the subject we talk of is the eye of England; if there be a speck or two in the eye, we endeavour to take them off; he would be a strange oculist who would pull out the eye." Of no sect, he represents in Parliament the patriotic spirit of all the sects. Not himself a Puritan, he pleads with Hastings for reform; not a Roman Catholic, he lifts his voice against persecution for concerns of faith; not a courtier, he votes with Cecil for supplies. In one word, he is English. To sustain the Queen in her great strife with Spain, to guard the church from abuse and from destruction, are as much his objects as to break the bonds of science and lead

II. 7. — 1585. Nov. inquiry back from clouds to earth. When he strikes at corruptions in the State, when he resists the usurpations of the Peers, when he saps the privileges of the Crown, he speaks in the name of English progress and English strength. He fights for reform of the law, for increase of tillage, for union with the Scots, for plantations in Ulster, for discovery and defence in Virginia, for free Parliaments and for ample grants, because he sees that increase, union, freedom, and a rich executive are each and all essential to the growth and grandeur of the realm.

8. How he appears in outward grace and aspect among these courtly and martial contemporaries, the miniature by Hilyard helps us to conceive. Slight in build, rosy and round in flesh, dight in a sumptuous suit; the head well-set, erect, and framed in a thick starched fence of frill; a bloom of study and of travel on the fat, girlish face, which looks even younger than his years; the hat and feather tossed aside from the broad white brow, over which crisps and curls a mane of dark, soft hair; an English nose, firm, open, straight; mouth delicate and small—a lady's or a jester's mouth—a thousand pranks and humours, quibbles, whims, and laughters lurking in its twinkling, tremulous lines:—such is Francis Bacon at the age of twenty-four.

1586. Oct. 29. 9. No session ever met under darker skies than that of 1586. Babington's conspiracy has just exploded; fleets are arming in Cadiz bay; money and men are ready in Rome, in Naples, in Leghorn, for a crusade against the

8. Hilyard's miniature is in the possession of Adair Hawkins, Esq., of Great Marlborough Street.

9. Dom. Papers of Queen Eliz., ccxxii.; Andreæ Philopatri ad Elizabethæ Reginæ Angliæ edictum responsio; Toulmin's History of Taunton, 365.

heretics; Parsons is hounding on the Pope, Sixtus hounding on Philip; in the Tagus, at the Groyne, in the cities of Brabant and Flanders, armaments wait but a word to cross over into Kent, to seat Mary Queen of Scots on the throne, to reduce England to a fief of the Church. England flushes with heroic pride. London, Dover, Portsmouth swarm with soldiers; drums are rolling in every hamlet, yeomen mustering in the market-places of every shire. But no part of England burns with more fervent heat than the western counties, nor in these counties than the town of Taunton. Taunton is the seat of trade and manufacture—a Manchester of a milder clime; next to Bristol the richest town between the Severn and the Scilly Isles; next to London the most patriotic town between the Irish Sea and Dover Straits. In the day when everything dear to men appears to be at stake, this populous and enterprising town sends Bacon to Westminster to speak in its name and give its vote.

II. 9.
—
1586.
Oct. 29.

10. The writs having gone out while the ruffians who prated of friendship and sentiment are on trial for their crimes, the passionate patriotism of the land storms up, too strong for Burghley to breast, too strong for Elizabeth herself to ride. When the Peers and Commoners meet, a cry goes up to the throne that Mary shall be brought to trial, and, on proof of her guilt, shall be put to death. In this stern prayer the burgess for Taunton, tolerant as he is of mere opinion, joins. The Crown dares not refuse. Menaced on every side, England can give no answer to the threats of invasion save an open trial and solemn execution of the Queen of Scots.

10. State Trials, i. 1127-1162; D'Ewes, 393.

II. 11. — 1586. Oct. 29.

11. What to do with Mary has been a dismal question for honest men since the day when she first sought refuge in Carlisle from her licentious barons and her faithless son. In her room at Chartley, guarded by the old moat, shut in with her women and her priests, she scared the Protestant imagination more than either the Kaiser in Vienna or the Pope in Rome. Her position is, indeed, most strange: to-day a prisoner, to-morrow she may become a queen. She has no need to make a party, to risk her head, in order to win her game. She has only to live: certain, as fall will follow spring, of rising one day from her bed of durance to find the necks of her enemies beneath her feet. An accident, a crime, may give her, any hour, the crown. A stumbling jennet, an unwholesome meal, a prick of Babington's knife, a snap of Salisbury's dagg, may take away the life which alone stands between her and the English crown.

Put on trial, her complicity proved, her cousin would still spare her life. But the Burghleys, Davisons, and Pauletts are in no position to treat this profligate woman with the leonine clemency of the Queen. To Elizabeth she is, indeed, a danger and a snare; but to the Protestant gentleman who loves his religion and his country, her removal or succession is a question of life or death. She can neither break Elizabeth on the wheel nor roast her at the stake; for, unless a Spanish force should succeed in seating her on the throne, her day of evil cannot come until the Queen is safe from the revenge of King and Pope. But what prelate on the bench, what councillor at the board, what magistrate in

11. Dom. Papers of Eliz., cxciv.; D'Ewes, 393-410; Davison to Walsingham, Oct. 10, 1586, in the State Paper Office; Burghley to Davison, Nov. 24, 1586, S. P. O.

his shire, would feel his head safe should trumpets bray the accession of Mary to the English throne? They have seen another Mary. Old men recall the day when Latimer perished. Half the citizens of London can tell how Rogers went to heaven in the Smithfield fires. All England shakes with news of the more recent massacres of Paris—massacres solemnly approved and commemorated in Rome as services to God. Men firm in their own faith, loyal to their own Queen, pretend no pity for a woman who to Helen's loveliness of person adds more than Helen's dissoluteness of mind. They see in Mary a wife who has married three husbands and is eager to marry more. They see in her the murderess of Darnley, the destroyer of the Kirk. They see in her a pretender to the English crown, in whose name Sixtus has resumed the kingdom, and Philip is preparing to lay it waste. Is such a woman to live and become their Queen? II. 11. — 1586. Oct. 29.

Could Mary refrain from plots, content to bide her time, the peril of such a future would be hard to meet; but when her complicity in Babington's treason is proved in court, then Davison urges, and the House of Commons demands by petition, that for the security of life, liberty, and true religion in time to come, the prisoner of Fotheringay shall suffer the just sentence of the law.

12. The Queen holds out. A grand committee, of which Bacon is a member, goes into the presence, and the lords spiritual and temporal, the knight and squire, the lawyer and goldsmith, kneeling together at her feet, demand that the national will shall be done—that the Protestant faith shall be saved. She will not hear them. Nov. 12.

12. Nicholas, Life of Davison, 1823; D'Ewes, 394-400; Camden, Ann. 1586.

II. 12. — 1587. Feb. 8. When the deed is done that makes England free—done by Davison's command if not by the Queen's—she casts the courageous minister from power; nor will she to her dying day consent to see his face or hear his name. There ought to be no doubt of the sincerity of her grief.

13. The letters which have been printed in more recent times, suggesting that Elizabeth, while affecting to withhold her consent to Mary's death, instigated Paulett to commit a private murder, are odious and clumsy literary forgeries. These letters have been adopted by Lingard, and have half imposed on the cautious Hallam. Yet the originals are nowhere to be found, the name of the pretended discoverer of them is unknown, and they have never been seen by any competent or reputable man! The circumstances of their publication suggest forgery for a political end, while the style and statement of the letters prove them to be inventions of a later time. The alleged discovery of these papers, so damaging to the English Church and so fatal to the Protestant Queen, was made by partisans of the Papist Pretender in the hottest days of the Jacobite feud. The dates, the names, the facts adduced, establish the comparatively recent fraud.

The Queen, slow to shed blood, meant to save Mary from the block, but her people and her parliament, free from her woman's weakness and her ties of blood, required that high political justice should be done. Mary was the first and worst of all their foes; the princes of Spain and Italy were her soldiers, the Babingtons and Salisburys of London her assassins. England could only meet the league of Kaiser,

13. Comp. Hallam, Hist. of Eng., i. 159 *n.*; Lingard, viii. 282; with a Note in Charles Knight's Hist. of Eng., iii. 205.

Pope, and King by snatching away their flag. Mary gone, the invaders were without a cause, the conspirators without a cry. Who shall say what might have chanced had Mary been alive, when the Duke of Medina Sidonia rode off the Lizard, to excite a rising in the western shires, or even to divide the loyalty and check the courage of the English fleet? II. 13. 1587. Feb. 8.

14. Bacon's fame as a patriot, as an orator, is in these transactions formed and fixed. To know him is to be happy; to have been at school with him, distinguished. William Phillippes, wanting a place under Davison for his son, thinks it enough to remind the great minister that his boy was trained with the young member for Taunton.

15. Years hurry past. The Armada comes and goes. While the watch-fires are yet burning on the cliffs, the wrecks of a hundred keels yet tossing in the foam from Devon to Caithness, Parliament meets. Bacon now sits for Liverpool. Danger is past; the Queen has been to thank God at St. Paul's, and a merry Christmas has been kept in hall and cottage, many a spar washed up from the wrecks of the Spanish fleet crackling in the festive fires. 1589. Feb. 4.

14. Phillippes to Davison, Oct. 5, 1586, S. P. O. In citing those State Papers from which a main portion of the following narrative will be derived, I must express my obligations to Sir John Romilly, Master of the Rolls, for the facilities which, during many years, he has given to my researches among the public documents of which he has the legal charge. My thanks are no less due to Lord Stanley and Sir Edward Bulwer Lytton, for the courtesy with which, when Secretaries of State, they listened to my proposals for certain changes in the State Paper Office favourable to historical students, and for the promptitude with which they consented to remove restrictions that had made any general and critical study of the State Papers next to impossible.

15. Not. Parl., iii. 121; D'Ewes, 430-439; Statutes of the Realm, 31 Eliz., c. 15.

II. 15. 1589. Feb. 4.

In this new session Bacon serves on the most important committees, speaks on the most important bills: now standing for the privileges of the House of Commons, now assaulting the Royal purveyors, now denouncing the forestallers, regrators, and engrossors. The great debates of this year occur on subsidies and grants.

Hatton proposes two subsidies and four fifteenths and tenths; to which Bacon, whose soul is in the patriotic tug, agrees: he moves, however, to insert in the bill a clause explaining that these grants are extraordinary and exceptional, meant for the war, and only for the war. To this the Queen objects, as fettering her future acts: enough for the squires to pronounce their Yea or Nay. The squires stand firm. Many men support what one man dares. After much debate, the Crown proposes to lay the bill, with Bacon's amendments to it, before the Learned Counsel; to which the House of Commons, insisting first that the author of the amendments shall be present at the sittings of that learned board, consents. Under his soft, persuasive tact, the interests of the sovereign are reconciled with the interests of her people, and the bill is passed to the satisfaction of Queen and Commons. Power and fame now seem to be in his grasp. Elizabeth sends for him to the palace; the electors of Middlesex cast their eyes upon him; and, when parliament meets again, he will represent the wealth and courage of that great constituency. From the session of 1589 dates his firm ascendency in the House of Commons.

16. Lady Bacon and her sons are poor. Anthony, the

16. Wotton's Baronetage, edited by Johnson and Timber, i. 8; Patent Rolls, 16 Eliz., par. 6, mem. 3 (see App. v. 1); Lady Bacon to Anthony Bacon, Lamb. MSS. 648, 106, 650, 75, 651, 54; Lady Bacon to her brothers Francis and Anthony Bacon, Lamb. MSS. 648, fol. 10.

loving and beloved, with whom Francis was bred at Cambridge and in France, has now come home. His health, bad at the best, has broken in the south; so he lies for a long time in bed or on a couch at his brother's rooms in Gray's Inn Square. The two young fellows have little money and expensive ways. Anthony, as the elder brother, owns a seat at Redburn, in Hertfordshire, with a few farms lying round it. Gorhambury, too, will be his when Lady Bacon dies. But the rents fall far below his needs, not to speak of the needs of his brother, who is now prominent at court, a leader in the House of Commons, and a candidate for the glory of representing in parliament the metropolitan shire. Their half-brother Sir Nicholas, who inherits Redgrave and the broad Suffolk acres left by the Lord Keeper, a man with penurious habits and a swarm of children, deems his own nine sons and three daughters burthen enough, without having to pinch for the offspring of Lady Ann. When he marries a daughter they may get an invitation to Redgrave; but his brotherly hospitalities end with the feast. Nathaniel may paint their portraits and present them with game on canvas, but the artist can do nothing to fill their mouths. Edward has a lease from the Crown of Twickenham Park, a delightful place on the river, of which Francis makes a home. Lady Ann starves herself at Gorhambury that she may send to Gray's Inn ale from her cellar, pigeons from her dovecote, fowls from her farmyard; gifts which she seasons with a good deal of motherly love and not a little of her best motherly advice. The young men take the love and leave the advice, as young men will. Like Buckhurst, Herbert, and the race of gay cavaliers, while waiting for better days and brighter fortunes, they relieve their wants by help of the Lombards and Jews.

II. 16. — 1591.

II. 17. — 1592. Feb. 18.

17. Francis looks for an opening to mend their means. A rich alderman dies, leaving his son a ward. The guardianship of a Queen's ward is often a profitable toil, and the care of Hayward's son is in Burghley's gift. Francis urges Lady Ann to apply to her sister's husband for this lucrative trust.

BACON TO LADY BACON.

MADAM, From my Lodgings, Feb. 18, 1591-2.

Alderman Hayward is deceased this night. His eldest son is fallen ward. My Lord Treasurer doth not for the most part hastily dispose of wards. It were worth the obtaining, if it were but in respect of the widow, who is a gentlewoman much recommended. Your ladyship hath never had any ward. If, my Lady, it were too early for my brother to begone with a suit to my Lord before he had seen his Lordship, and, for me, if I at this time procure (?) my Lord to be my friend with the Queen, it may please your ladyship to move my Lord, and to promise to be thankful to any other my Lord oweth pleasure unto. There should be no time lost therein. And so I most humbly take my leave.

Your Ladyship's most obedient son,

FR. BACON.

My Lord (Lord Burghley) is a leal friend to him with the Queen; a little slow, as his nature is, but honest, sage, and sure. While waiting for a post, and only that of Attorney-General or Solicitor-General will serve his turn, the young barrister fags at his books; framing in his mind a magnificent scheme for reducing and codifying the whole

17. Lambeth MSS. 648, fol. 5, 106, 110.

body of English law, as well as shaping his more colossal plans for re-constituting the whole round of the sciences. Like the ways of all deep dreamers, his habits are odd, and vex Lady Ann's affectionate and methodical heart. The boy sits up late of nights, drinks his ale-posset to make him sleep, starts out of bed ere it is light, or may be, as the whimsy takes him, lolls and dreams till noon, musing, says the good lady with loving pity, on—she knows not what! Her own round of duty lies in saying her morning and evening prayers, in hearing nine or ten sermons in the week, in caring for her kitchen and hen-roost, in physicking herself, her maids, and her tenants, in making the rascals who would cheat her pay their rent, and in loving and counselling her two careless boys. Dear, admirable soul! How human and how humorous, too, the picture of this good mother, warm in her affections, scolding for us out broadbrowed awful Verulam! II. 17. — 1592. May 24.

LADY BACON TO ANTHONY BACON.

Gorhambury, 24th May, 1592.

Grace and health. That you increase in amending I am glad. God continue it every way. When you cease of your prescribed diet, you had need I think to be very wary both of your sudden change of quantity and of season of your feeding, specially suppers late or full; procure rest in convenient time, it helpeth much to digestion. I verily think your brother's weak stomach to digest hath been much caused and confirmed by untimely going to bed, and then musing, I know not what, when he should sleep, and then, in consequence, by late rising and long lying in bed, whereby his men are made slothful and himself continually sickly. But my sons haste not to hearken to their mother's good counsel in time to prevent. The

II. 17. Lord our heavenly Father heal and bless you both, as His sons in Christ Jesus!

1592. May 24. I promise you, touching your coach, if it be so to your contentation, it was not wisdom to have it seen and known at the Court. You shall be so much pressed to lend, and your man for gain so ready to agree, that the discommodity thereof will be as much as the commodity. I would your health had been such as you needed not to have provided a coach but for a wife; but the will of God be done. You were best to excuse you by me, that I have desired the use of it, because, as I feel it too true, my going is almost spent, and must be fain to be bold with you. It is like Robert Bailey and his sons have been to seek some commodity of you; the father hath been but an ill tenant to the wood, and a wayward payer, and hath forfeited his bond, which I intend not to let slip; his son a dissolute young man, and both of them crafty. Likewise young Carpenter may sue to be your man. Be not hasty; you shall find such young men proud and bold, and of no service, but charge and discredit. Be advised. Overshoot not yourself undiscreetly. I tell you, plain folk in appearance will quickly cumber one here, and they will all seek to abuse your want of experience by so long absence. Be not hasty, but understand well first your own state. There was never less kindness in tenants commonly than now. Farewell in Christ.

Let not your men see my letters. I write to you, and not to them.

Your mother,

A. Bacon.

This coach which the two brothers, both of them sick, both racked with gout and ague, have set up, weighs

heavily on her spirits. Again and again she returns to the charge. "I like not your lending it to any lord or lady. It was not well it was so soon seen at court. Tell your brother, I counsel you to send it no more. What had my Lady Shrewsbury to borrow your coach?" II. 17. — 1592.

18. If the post of orator of the House of Commons is no easy one to win, it is one more difficult to hold. Wit, sense, readiness, repartee, power, patience, mastery of men and books, are parts of the round of faculties and acquirements for one who is to seize the direction and sway the votes of an English House of Commons. At thirty-two, when Bacon, in the session of 1593, takes his seat for Middlesex, he finds on the benches right and left of him men the most renowned in English story. Coke is Speaker; Cecil leads for the Crown; Raleigh and Vere sit nigh him; Fulk Greville, the friend of Sydney, John Fortescue, Lawrence Hyde, Henry Yelverton, Edward Dyer, Henry Montagu, rival speakers and lawyers, are but six of a conspicuous crowd. The war continues, and events look grave. Battalions crowd Dunkerque and Calais; the flag of Leon and Castile flaps within sight of Dover-pier; London stands under arms; troops hurry for Flanders, Dublin, and Kinsale; the Sussex foundries cast guns; and fort on fort rises along the coast from Margate to Penzance. Yet the war without is not more harassing than the disease within. London gasps with plague. No lute or tabor sounds from the tavern-porch; no play draws dames and gallants to the Globe; no pageant crowds the Thames 1593. Feb. 19.

18. Not. Parl., iii. 131; Council Reg., Jan. 28, July 19, 1593; Mem. of Men for Ireland, April 6, 1593, S. P. O.; Elizabeth to Godolphin, May 9, 1593, S. P. O.; Mem. by Burghley, May 9, 22, 31, 1593, S. P. O.; List of Parishes in London infested with Plague, Lamb. MSS. 648, fol. 152.

II. 18. — 1593. Feb. with citizens and 'prentice boys. An order from the Lord Mayor puts down all games—the bear-bait at Paris Garden, the sports of the inn-yards, the song and jollity of the ale-clubs. Yet, in the midst of woe and death, the recruiting-sergeant beats to arms. Henri the Fourth, who has mounted the throne of France, pressed by the victorious Spaniards, calls for help, and levies are being raised for him in London and in places usually exempt from such a tax.

While yielding the Queen's government support on her money bills, the feeders of the war, Bacon forces on the topic of reform, and defeats an extraordinary attempt at dictation by the ministers of the Crown.

Feb. 26. 19. The House has not sat a week—not yet proved its returns—before he hints at his scheme for amending and condensing the whole body of English law. The House starts up. The tide might have come in from the Thames. Reform the code! Bacon tells a House full of Queen's serjeants and utter barristers that laws are made to guard the rights of the people, not to feed the lawyers. The laws should be read by all, known to all. Put them into shape, inform them with philosophy, reduce them in bulk, give them into every man's hand. So runs his speech. A noble thought—a need of every nation under the sun—a task to be wrought at by him through a long life—to be then left to successors, who, after revolutions and restorations, commissions and reports, have it still in hand—undone! The plan, of which this fragment of a speech is the root, developed in his Maxims of the Law, and proposed as part of his great reform in the De Aug-

19. Townshend's Historical Collection, 60; Bacon's Works, vii. 313; Les Aphorismes du Droit, traduits du Latin de Messire François Bacon, Grand Chancelier d'Angleterre, par J. Baudoin, 1646.

mentis, has had more success abroad than it has found at home. It has been universally read, and most of all in France. It was translated by Baudoin, and inscribed to Segrier, Chancellor of France. In that country it has blossomed and come to fruit. But a French revolution has alone had power to achieve this vast design against established things; and the Code Napoléon is even now, in 1860, the sole embodiment of Bacon's thought. II. 19. — 1593. Feb.

20. Ten days later he gives a check to the Government, which brings down upon his head those censures of Burghley and Puckering which are said to have represented in fact, if not in word, the personal anger of the Queen. The story of this speech has been so told as to rob Bacon of all credit for his daring, the ministers of all reason for their wrath. Mar.

Lord Campbell writes, that Bacon votes for the grants proposed by the Crown, but pleads for time in which the people shall be called to pay them; that Burghley and Puckering bully and threaten him; that he bows to this storm of indignation a penitential face. Lord Campbell pictures the young barrister as whining under the lash, kissing the rod that smites him, pledging the tears in his eyes that he will never, in that way, offend her Majesty again.

21. The offence lies deeper than Lord Campbell dreams: an offence of two parts; one of which parts has wholly escaped his sight.

The Government seeks from the House of Commons a

20. Campbell's Lives of the Lord Chancellors, art. 'Bacon,' iii. 15.

21. Inhibitions delivered to Coke from the Queen, Feb. 28, 1593, S. P. O.; Message from Coke to the House of Commons, Feb. 28, 1593, S. P. O.; Confession of Laton, Feb. 1593, S. P. O.

II. 21. —. 1593. Mar.

very extraordinary grant of money. It is usual to ask for half a subsidy a year. Half a subsidy is ten per cent.—two shillings in the pound a year. Burghley proposes to demand from the burgesses a double rate: one whole subsidy a year; four shillings in the pound. So high a tax will not, he knows, be voted by the House, with all its eagerness for war, unless the whole authority of the Crown and Government can be brought to bear. He forms his plans. Drafting such a bill as he hopes may pass, he sends word to Mr. Speaker Coke that he must beat down, in the Queen's name, all such noisy members as shall presume to prate of things in Church and State. No idle threat, as Bromley and Wentworth find; ere many days are gone, Wentworth has talked himself into the Tower, Bromley into the Fleet.

Burghley now asks the House to confer with the Peers on a grant for the Queen's service; and a committee goes up; among them, in frill and feather, gown or sword, Vere, Raleigh, Greville, Hastings, Cecil, Bacon, and Coke. They hear the Lord-Treasurer's words; and the next day Cecil reports, in their name, to the Commons, that the Peers have decided for them what they shall give, and at what times: three subsidies in three years—four shillings in the pound each year. For them to hear is to obey.

Knight and squire gaze at each other. Four shillings in the pound a year! And the Commons robbed of even the credit of their own gifts! Such a speech is resented as a slur on their patriotism, a curb on their debates.

22. Who rises to warn the minister? Is it the fiery Raleigh, the martial Vere? Where sits the noisy Hastings, the sagacious Greville, the turbulent Coke? Not one of

22. D'Ewes, 468-83.

these flames up. Soldiers who have pushed through Parma's lines, advocates bronzed in cheek, and Puritans steeled in the fire of controversy, stare and wait. No marvel either. Not one of these men, in a plain, good cause, would shrink from a threat of Little Ease or Beauchamp Tower. The difficulty is, to defend their right of making grants and subsidies without seeming to oppose a war on which the country has set its soul, and without showing to the hosts of home and foreign enemies a broken front. To the bill itself the capital objection is one of form. Cecil counts on the heat for battle; and to fight for the power of free taxation, against the passionate haste of the people for clash of pikes and roar of guns, needs courage of a lofty and peculiar kind. Coke may fear to offend the Queen, Raleigh to embolden the King of Spain, Hastings to vex the musters and the fleet. Bacon stands up. II. 22. 1593. Mar.

A few clear words declare that he does not mean to touch the grant. No man will grudge the funds to fit out ships and man the guns. But there he stops. To give is the prerogative of the people—to dictate what they shall give is not the duty of the House of Peers. In framing this bill the Government, he says, has gone beyond its powers; and he counsels the Commons, in defence, to decline any further conferences with the Lords on a money-bill. From his vest he takes an Answer to the Lords, which he proposes shall be read, and if approved, sent up. This Answer is referred to a committee of fifty-one. The committee cannot agree; and return their commission to the House. Hot debates ensue. Burghley hides himself behind the Queen: but even her august and sacred name appears to have lost its force. Broad lines are drawn, and the members fall into either camp; the courtiers

II. 22. — 1593. Mar. standing with Cecil for continuing the conferences on the money-bill; the reformers with Bacon for resisting this encroachment on the constitutional laws.

Coke puts the question from the chair—for a conference; yea, or nay? A hundred and twenty-eight gentlemen cry Yea. Two hundred and seventeen gentlemen cry Nay.

23. A raid of Parma's pikes through Kent would have startled Burghley less than such a vote. It is the first great check he has ever known; it stops the whole machinery of legislation; it covers himself, his measures, and his friends with public shame. He scolds his nephew, and sets the Lord-Keeper on to scold him. These functionaries threaten him with the Queen's ire; but Bacon defends what the Knight for Middlesex has said and done. If words not used by him are put upon him, he will deny them; if his words are misunderstood, he will explain them; but to the sense of his speech he must hold fast. How can he unsay the truth? This is his apology and defence. If her Highness, as they urge, is angry with him, he shall grieve; if she commands him into silence, he must obey; but in thwarting this invasion of popular rights by the House of Peers, he has done no more than his duty to his Queen, his country, and his God.

24. Though the progress of the bill is stopped, all sides agree that the fleet must be manned—the musters armed. Raleigh starts a compromise. Flushed with his glorious voyage, red with spoil from the Santa Clara and the

23. Bacon to Burghley and to Puckering, Montagu, xii. 275, Notes E. E. 24. Townshend, 67; D'Ewes, 488.

Madre de Dios, the adventurer burns to be again at sea, chasing the Spanish ships, or forcing the rivers of Guiana. Every day given to debate, he grudges as lost to victory and revenge. To him, delay is disaster; talk is treason. Vote the supplies—send out the fleet—dash at Cadiz or Malaga—sweep the plantations—snap up galleon and carrack—death to the yellow flag! cries that impetuous soul. The members warm to his voice. Resolve, he says, to confer with the Lords on the perils of the realm. Say no more about grants. Listen to what the Government may have to tell about the Papal bull and the Spanish fleet. When you have saved the point of form, vote the money-bill as you list. Well spoken, Raleigh! Not a tongue cries Nay. II. 24. — 1593. Mar.

25. Set free by this device to discuss their money-bill, the Commons fall to work. Cecil stands to the old plan of three subsidies, to be paid in three years. Bacon, neither cowed nor penitent, rises once more to oppose the court; not on the amount, which he approves, but on the time, which is, indeed, the essential point. He asks for six years in place of three; in other words, for two shillings in the pound a year, in place of four. Even for the joy of smiting Spain, he cannot drain the sources of industry, seize the craftsman's tools, the farmer's cider-press and milk-pans. Raleigh storms upon him. Will he starve the war? Cecil smiles and cajoles. But Bacon, who has won the ear even of this warlike auditory, insists that time shall be given, and that the grants shall be described as exceptional and extraordinary. In the end, against the warmth April.

25. Lords' Jour., ii. 184; D'Ewes, 493; Townshend, 72; Statutes, 35 Eliz., c. 13.

II. 25. — 1593. April.

of Raleigh and the wiles of Cecil, he compels the Government to meet his proposal half-way, to extend the period proposed for the raising of these taxes a year (in other words, to take three shillings in the pound each year in place of four), and to insert a clause in the bill declaring that the money is given solely for the war against Spain.

CHAPTER III.

THE EARL OF ESSEX.

I. Six months after this brush with the Government Bacon is a candidate for place. The Rolls are vacant, and the rise of Egerton must leave the post of Attorney void. Coke claims to succeed. Some at the bar and on the bench would prefer Bacon's rise to Coke's: each has his troop of friends; and thus, at an early stage, begins that rivalry between these famous men which is to run through every phase of their careers, and only end with their lives. Coke gains his move, as is only just. Bacon's claim to the place left void by Coke, that of the Solicitor-General, is much more strong. Born at the bar and nursed on law, he has served to his profession an apprenticeship of fourteen years. If Philosophy has been his Rachel, Law has been his Leah. A bencher and Reader of his Inn, he enjoys a good reputation in chambers and in the courts. The best judges at the bar approve his rise. Burghley and Cecil cautiously promote his suit, and Egerton presses it with a noble friendship on all who have power to help or harm. Yet in the end Thomas Fleming gets the post, a man only known to the world for having stood in Bacon's way, and to the profession for his singular and disastrous ruling in the case of Bates.

III. 1.
—
1593.
Sept.

Bacon owes this loss of place to Robert Devereux, Earl of Essex: out of which cruel disappointment to him

1. Chron. Jurid., 177; Lane's Reports, 22.

III. 1. — 1593: Sept.

springs the charge of ingratitude to a patron—treason to a friend.

A plain history of events will show that the connexion of Bacon with Essex is one of politics and business; that it brings no advantages to Bacon, and imposes on him no obligations; that it ceases by the Earl's own acts; that personally and politically Essex separates himself from Bacon, not Bacon from Essex; that Bacon, in his efforts to save Essex while he believes him a true man, goes the extremest lengths of chivalry; and that, in acting against him when he proves himself a rebel and a traitor, he does no more than discharge his necessary duty to his country and his Queen.

2. One of the nearest friends of Queen Elizabeth was Catherine Carey, afterwards Lady Knollys, her cousin in the first degree of the Boleyn blood. They were sisters' children, and loved each other with more than sisters' love. Catherine died young in years, and was buried by her sovereign in Westminster Abbey with regal pomp. Essex is Catherine Carey's grandson; in everything but the name he is a grandson to the childless Queen. This tie of blood the slanderers of her fame forget to state. Yet Essex and the two Careys are her only male relations on her mother's side, as James of Scotland is her sole surviving kinsman of the royal race. He was born into her lap and into her heart. She loves him, too, for his father's sake; Walter, Earl of Essex, having been a leal friend to her in those young days when friends were few and cold. As she sears into age, it pleases her eye to see the sons of her first stanch peers

2. Craik's Romance of the Peerage, i. 5; Council Reg., April 13, 1589, April 14, 1591, June 21, 1592.

around her throne. She has made Hunsdon chamberlain; she means to make Cecil Secretary of State. She loved Sydney for his father's virtues; she endures Essex in remembrance of his father's fate. She has indeed much to bear with and forgive. More profuse than generous, more rash than brave, he tries her affection by his petulance and brawls; but she clings to the orphan boy with that clannish pride which she always felt for her mother's kin. She loads him with favours. His jerks and whims, so galling to the council and the court, amuse the Queen as signs of the Boleyn blood. Her mother had them; his mother has them. That she loves him more than a lady of sixty years may love her cousin's grandchild is a monstrous lie. No woman can believe it: no man but a monk could dream it. III. 2. — 1593. Sept.

3. Yet this lie against chastity and womanhood has been repeated from generation to generation for two hundred and sixty years. It oozed from the pen of Father Parsons. It darkens the page of Lingard. Like most of the scandals against her—her jealousy of the wives of Leicester, of Raleigh, of Essex even—it came from those wifeless monks, men of the confessional and the boudoir, who spent their nights in gloating with Sanchez through the material mysteries of love, and in warping the tenderness and faith of woman into the filthy philosophy of their own 'Disputationes de Sancto Matrimonii Sacramento.' Against such calumniators the Queen might appeal, like Marie Antoinette, to every woman's heart. Jealous of Lettice

3. Elizabethæ Angliæ reginæ, hæresim Calvinianam propugnantis, in catholicos sui regni edictum, quod in alios quoque reipublicæ christianæ principes contumelias continet indignissimas. Promulgatum Londini 29 Nov. 1591. Cum responsione ad singula capita: quâ non tantum sævitia et impietas tam iniqui edicti, sed mendacia quoque et fraudes ac impostura deteguntur et confutantur. Per D. Andream Philopatrum. 1592.

III. 3. — 1593. Sept.

Knollys, of Bessie Throckmorton, of Frances Sydney! Elizabeth is indeed vexed with them, but has she not cause? Has not each of these courtiers married, not only without her knowledge as their Queen, but without honesty or honour? In secret, under circumstances of shame and guilt, Leicester wedded her cousin's daughter Lettice. Would the head of any house be pleased with such a trick? Raleigh brought to shame a lady of her court, young, lovely, brave as ever bloomed on a hero's hearth; yet the daughter of a disloyal house, of one who had plotted against the Queen's crown and life. Could any prince in the world approve of such an act? Essex himself, a member of her race, a descendant of Edward the Third, married, in secret and against her will, a woman of inferior birth, without beauty, youth, or fortune, a widow, who took him on her way from the arms of a first husband into those of a third. What kinswoman would smile on such a match?

Love for Essex warmer than that of an aged gentlewoman for a young and dashing kinsman would be in her sin against nature not less than sin against nature's God. The letters of Catherine's grandson to the Queen, if bright with poetry, playfulness, and compliment, are, in tone and substance, dutiful and chaste. In the Queen's letters to him there is not a line she might not have written to a grandson of her own.

4. She guards him with the fondness and with the fear of a mother. She never sends him from her side without a pang; for she knows that he will knock his head against stone walls, that he will hurry brave men to a foolish end. Proud and high though his temper is, he can

4. Lives and Letters of the Devereux Earls of Essex, 2 vols., 1853, vii.-xiv.

neither lead others to victory like Raleigh, nor defend his own face from harm like Montjoy. If he sail for Cadiz with Nottingham and Raleigh to slack his fire, the Queen's work may be done, and he himself shine the bravest of the brave. If he go to Rouen alone, he scares the sleep from her pillow, and wrings the blood from her heart, by his reckless waste of her veteran troops. She pets him as a boy hopelessly brave, heroically frail; but she deems him such a fool, though a charming one, that anything he raves for must be wrong. If he fume and fret, put his head on her footstool, rush into the country, pout, and sulk, and rage, like a great spoiled child, she will not yield to his caprice. For ever asking something that he should not have, he will be Master of the Horse; he will have the Cinq Ports; he will command fleets and camps. III. 4. 1593. Sept.

5. In an evil day for Bacon this petulant noble swears he shall succeed to Coke. Essex and Bacon have been drawn together, less by the magnetism of character, though the Earl has a thousand showy and alluring ways, than by their common wants. Bacon is poor and works for bread. His brother Anthony is poor and lame. In the rooms at Gray's Inn they lie sick together, racked with pain and pestered by duns. Lady Ann does her best: sending them hogsheads of March beer, with plenty of good advice and scraps of Greek; but the most she can do is little, and neither Greek nor good advice will discharge their weekly bills.

A letter from Francis to Lady Bacon gives a glimpse into these troubles—the sickness, the fraternal love, the worrying debts.

5. Lambeth MSS. 649, fol. 67, 100.

III. 5.

1593. Sept.

FRANCIS BACON TO LADY BACON.

From Gray's Inn, April 16, 1593.

My duty most humbly remembered. I assure myself that your ladyship, as a wise and kind mother to us both, will neither find it strange nor unwise that, tendering first my brother's health, which I know by mine own experience to depend not a little upon a free mind, and then his credit, I presume to put your ladyship in remembrance of your motherly offer to him the same day you departed, which was that to help him out of debt you would be content to bestow your whole interest in markes upon him. The which unless it would please your ladyship to accomplish out of hand, I have just cause to fear that my brother will be put to a very shrewde plunge, either to forfeit his reversion to Harwin (?) or else to undersell it very much; for the avoiding of both which great inconveniences I see no other remedy than your ladyship surrender in time, the formal drafte whereof I refer to my brother himself, whom I have not any way as yet made acquainted with this my motion, neither mean to do till I hear from you. The ground whereof being only a brotherly care and affection, I hope your ladyship will think and accept of it accordingly; beseeching you to believe that being so near and dear part of me as he is, that cannot but be a grief unto me to see a mind that hath given so sufficient proof of wit (?) in having brought forth many good thoughts for the general to be overburdened and cumbered with a care of clearing his particular estate. Touching myself, my diet, I thank God, hitherto hath wrought good effect, and am advised to continue this whole month, not medd ling with any purgative physic more than I must needs, which will be but a trifle during my whole diet; and so I most humbly take my leave.

F. B.

III. 6.

1593. Sept.

6. No young fellow of Gray's Inn, waiting for the tide to flow, is sharper set for funds than the young knight for Middlesex or his elder brother. Anthony tries to raise his rents, and some of the men about him—godless rogues, as Lady Bacon says—propose that he shall let his farms to the highest bidders. Goodman Grinnell, who has the land at Barly, pays less rent than he ought: let him go out and a better man come in. But Goodman Grinnell speeds with his long face to Lady Ann. "What!" cries the good lady to her son; "turn out the Grinnells! Why, the Grinnells have lived at Barly these hundred and twenty years!" So the brothers have to look elsewhere. Bonds are coming due. A famous money-lender lives in the city, Spencer by name, rich as a Jew and close as a miser; him they go to, cap in hand, and with honeyed words. The miser is a good miser, and allows his bond to lie. Francis writes to him from his brother Edward's house at Twickenham Park, to which he has removed from Gray's Inn for the benefit of country air.

FRANCIS BACON TO MR. SPENCER.

GOOD MR. SPENCER, Twickenham Park, Sept. 19, 1593.

Having understood by my man your kind offer to send my brother and me our old bond, we both accept the same with hearty thanks, and pray you to cause a new to be made for half a year more, which I will both sign and seal before one Booth, a scrivener, here at Isleworth, and deliver it him to your use, which you know will be as good in law as though you were here present. True it is that I cannot promise that my brother should be here at that time to join with me, by reason of his daily attendance in court, by occasion whereof I am to be your sole debtor

6. Lambeth MSS. 649, fol. 109.

III. 6. — 1593. Sept.

in the new bond. As for the mesne profits thereof, you will receive them presently. I have given charge to my man to deliver it. And so with my right hearty commendations from my brother and myself, with like thanks for your good will and kindness towards us, which we always shall be ready to acknowledge when and wherein we may, I commit you to the protection of the Almighty.

Your assured loving friend,

FR. BACON.

One likes to know that this good miser rose to be an alderman of London, and lived to see his daughter married to a peer. One dares not say, however, that one would like to have been Lord Compton, the husband of her choice, and heir of the miser's enormous hoard.

7. Bacon lies sick the whole summer of 1593, as a note to his old friend Lady Paulett shows. Her ladyship, who was so kind to him in his younger days in France, is now a widow; his good friend Sir Amias sleeping the great sleep under a splendid tomb in the chancel of St. Martin's church. Bacon is proud and glad to do the widow service.

FRANCIS BACON TO LADY PAULETT.

MADAM, Twickenham Park, Sept. 23, 1593.

Being not able myself, by reason of my long languishing infirmity, to render unto your ladyship by a personal visitation the respect I owe unto your ladyship, I would not fail to acquit some part of my debt by sending this bearer, my servant, expressly to know how your ladyship doth, which I beseech God may be no worse than I

7. Lambeth MSS. 649, fol. 214.

wish and have just cause to wish, considering your lady- III. 7.
ship's ancient and especial kindness towards me. Which if. —
I have not hitherto acknowledged it hath been only for 1593.
want of fit occasions, but no way of dutiful affection, as I Sept.
hope in time, with God's help, I shall be able to verify by good effects towards the young gentleman Mr. Blount, your nephew, or any other that appertains unto your ladyship. This is, good madam, much less than you deserve and yet all I can offer, which, notwithstanding, I hope you will accept, not that it is aught worth of itself, but in respect of the unfeigned good will from whence it proceedeth. And so, with my humble and right hearty commendations unto your good ladyship, I beseech God to bless you with increase of comfort in mind and body, and admit you to his holy protection.

Your ladyship's assured and ready in all kind affection to do you service,

FR. BACON.

8. Essex has need of strength such as these penniless men of genius have to spare. Francis Bacon has won all nature for his province. Anthony is a man of many parts; gay, supple, secret; fond of society and of affairs, of good wines and bright eyes; at home in cloister and in court; easy in morals, tolerant in creed; hail fellow with the vagabond and the noble, the King's mistress, the professional conspirator, the free lance, and the travelling monk. The two brothers enter into the Earl's service; Francis as his lawyer and man of political business, Anthony as his secretary; hoping, as many wise men hope, to make him the court leader of that great patriotic band of which Raleigh, Drake, and Vere are the fighting chiefs; the one

8. Lambeth MSS. 649; Devereux, i. 277; Sydney Papers, i. 360.

III. 8. — 1593. Sept. part for which he is gifted beyond all other men. Under their eyes he so far gains in gravity and sense that the Queen swears him of her Privy Council, and even trusts to his care much of her correspondence abroad. Day and night their tongues and pens are busy in this work. Anthony writes the Earl's letters, instructs his spies, drafts for him despatches to the agents in foreign lands. Francis shapes for him a plan of conduct at the court, and writes for him a treatise of advice which should have been the rule and would have been the salvation of his life.

For all these labours the workmen must be paid.

Oct. 3. 9. Duns weigh on the two brothers. Here are two notes to Lady Ann, both from Francis, full of the same sad romance of love and debt. One runs:

FRANCIS BACON TO LADY BACON.

MADAM, From the Court, Oct. 3, 1593.

I received this afternoon at the Court your letter, after I had sent back your horse and written to you this morning. And for my brother's kindness, it is accustomed; he never having yet refused his security for me, as I, on the other side, never made any difficulty to do the like by him, according to our several occasions. And therefore, if it be not to his own disfurnishing, which I reckon all one with mine own want, I shall receive good ease by that hundred pounds; specially your ladyship of your goodness being content it shall be repaid of Mr. Boldroe's debt, which it pleased you to bestow upon me. And my desire is, it shall be paid to Knight at Gray's Inn, who shall receive order from me to pay two fifths [?] (which I wish had been two hundred) where I owe, and where it presseth

9. Lambeth MSS. 649, fol. 298, 274.

me most. Sir John Fortescue is not yet in Court; both to him and otherwise I will be mindful of Mr. Downing's cause and liberty with the first opportunity. Mr. Nevill, my cousin, though I be further distant than I expected, yet I shall have an apt occasion to remember. To my cousin Kemp I am sending. But that would rest between your ladyship and myself, as you said. Thus I commend your ladyship to God's good providence. III. 9. — 1593. Oct. 3.

Your Ladyship's most obedient,

FR. BACON.

FRANCIS BACON TO LADY BACON. NOV. 2.

MADAM, Twickenham Park, Nov. 2, 1593.

I most humbly thank your ladyship for your letter and sending your man Bashawe to visit me, who purposeth with God's help so soon as possibly I can to do my duty to your ladyship, but the soonest I doubt will be to-morrow or next Monday come sennight. My brother, I think, will go to Saint Albans sooner, with my Lord Keeper, who hath kindly offered him room in his obscure lodgings there, as he hath already resigned unto him the use of his chamber in the Court. God forbid that your ladyship should trouble yourself with any extraordinary care in respect of our presence, which if we thought should be the least cause of your discontentment, we would rather absent ourselves than occasion any way your ladyship disquietness. As for Sotheram, I have been and shall be always ready to hear dutifully your ladyship's motherly admonitions touching him or any other man or matter, and to respect them as I ought. And so, with remembrance of my humble duties, I beseech God to bless and preserve your ladyship.

F. B.

III. 9. — 1594. Mar. Essex is poor. Dress, dinners, horses, courtesans exhaust his coffers. If he cannot pay in coin he will pay in place. His servant Francis Bacon shall be the Queen's Solicitor. Essex swears it.

10. Until he swears it all goes well. Burghley supports his nephew. Egerton and Fortescue urge his suit with admiring friendship on the Queen. Cecil is warm in his behalf; not alone begging in his own name, but stirring up friends and making a party at the Court. Every one at the bar, save only Coke, admits his claim to place.

Essex spoils all. At first the Queen is gracious; extols his eloquence and his wit, while doubting if he be deep in law. It only needs that his nomination shall be made in the proper way; because it is the best, not because this or that lord of her Court may wish it made. This does not please the Earl. Pledged to make Bacon's fortune, he will not stoop to see his debts paid by another hand. The work must be his own: "Upon me," he says, "must lie the labour of his establishment; upon me the disgrace will light of his refusal."

The Queen gets angry at this selfish pride. When he talks of Bacon she shuts her ears; but night and day he hammers at the name; doing his full of mischief; fretting and sulking till he drives her mad. Never were good intentions worse bestowed. A brief note from the Earl to Bacon brings the impatient Queen and her importunate suitor on the scene:—

THE EARL OF ESSEX TO FRANCIS BACON.

SIR, 24 March, 1594.

The Queen did yesternight fly the gift, and I do wish, if it be no impediment to the cause you do handle

10. Lambeth MSS. 649, fol. 37, 60, 197; 650, fol. 109.

to-morrow, you did attend again this afternoon. I will be at the Court in the evening, and go with Mr. Vice-Chamberlain, so as, if you fail before we come, yet afterwards I doubt not but he or I shall bring you together. This I write in haste because I would have no opportunity omitted in this point of access. I wish to you as to myself, and rest

III. 10. — 1594. Mar. 24.

Your most affectionate friend,

ESSEX.

The Queen will not see him. She will not have her freedom of selection curbed.

11. Bacon is surprised and hurt. His hopes for the moment dashed, he perceives no chance of succeeding even at a better time, unless the Queen can be induced to leave the Solicitorship for the present void. To this end he applies to his cousin Cecil. Here is his note :—

May 1.

FRANCIS BACON TO SIR ROBERT CECIL.

Gray's Inn, May 1, 1594.

MY MOST HONORABLE GOOD COUSIN,

Your honour in your wisdom doth well perceive that my access at this time is grown desperate in regard of the hard termes that as well the Earl of Essex as Mr. Vice-Chamberlain, who were to have been the means thereof, stand in with her in acceding to their occasions. And therefore I am now only to fall upon that point of delaying and preserving the matter entire till a better constellation, which, as it is not hard, as I conceive, considering the proving business and the instant Progress, &c., so I commend in special to your honour's care, who in sort assured me thereof, and upon [whom] now in my lord of Essex'

11. Lambeth MSS. 650, fol. 125.

III. 11. — 1594. May 1. absence I have only to rely. And if it be needful, I humbly pray you to move my Lord your father to lay his sure hand to the same delay. And so I wish you all increase of honour.

Your poor kinsman in faithful prayers and duty,

FRANCIS BACON.

Cecil, who knows that the Earl, and none but the Earl, stands in the way of his cousin's rise, writes back, on the same sheet of paper, in the left corner, these words :—

SIR ROBERT CECIL TO FRANCIS BACON.

COUSIN,

I do think nothing cuts the throat more of your present access than the Earl's being somewhat troubled at this time. For the delaying, I think it not hard; neither shall there want my best endeavours to make it easy, of which I hope you shall not need to doubt. By the judgment which I gather of divers circumstances confirming my opinion, I protest I suffer with you in mind that you are thus yet gravelled; but time will founder all your competitors and set you on your feet, or else I have little understanding.

12. For the first time in his life Bacon is now a stranger at the court. Lady Ann lies sick at Gorhambury; so sick, that the "good Christian and Saint of God," as her son affectionately calls her, makes up her soul for death. Two of her household have been snatched away from her side by plague or fever. She is down with ague. Bacon wrestles with her resignation, praying her to use all helps and comforts that are good for her health, to the end

12. Lambeth MSS. 649, fol. 232; 650, fol. 140.

that she may be spared to her children and her friends, and to that church of God which has so much need of her. Here is the letter from which these particulars are drawn:— III. 12. — 1594. June 9.

FRANCIS BACON TO LADY BACON.

June 9, 1594.

My humble duty remembered, I was sorry to understand by Goodman Sotheram that your ladyship did find any weakness, which I hope was but caused by the season and weather, which waxeth more hot and faint. I was not sorry, I assure your ladyship, that you came not up, in regard that the stirring at this time of year, and the place where you should lie not being very open nor fresh, might rather hurt your ladyship than otherwise. And for anything to be passed to Mr. Trot, such is his kindness, as he demandeth it not; and therefore, as I am to thank your ladyship for your willingness, so it shall not be needful but upon such an occasion as may be without your trouble, which the rather may be because I purpose, God willing, to come down, and it be but for a day, to visit your ladyship, and to do my duty to you. In the mean time I pray your health, as you have done the part of a good Christian and Saint of God in the comfortable preparing for your duty. So nevertheless, I pray, deny not your body the due, nor your children and friends, and the church of God, which hath use of you, but that you enter not into further conceit than is cause; and withal use all comforts and helps that are good for your health and strength. In truth I have heard Sir Thomas Scudamore often complain, after his quartain had ceased, that he found such a heaviness and swelling under his ribs that he thought he was buried under earth all from the

III. 12. — 1594. June 9. waist; and therefore that accident no bad incident. Thus I commend your ladyship to God's good preservation from grief.

Your ladyship's most obedient son,

FR. BACON.

It may be I shall have occasion, because nothing is yet done in the choice of a Solicitor, to visit the Court this vacation, which I have not now done this month's time, in which respect, because having sent to and fro spoyleth it, I would be glad of that light bed of stripes which your ladyship hath, if you have not otherwise disposed it.

Aug 20. 13. The Saint of God is spared to her sons for a little while. When Francis makes her a visit he finds her weak with pain, her memory failing like her health, but her tongue and pen as swift to advise as ever. Anthony's easy nature, his indulgence of his men, his love of finery and show and pleasure, wring the poor lady's heart. She wants to see him marry and amend his ways; but she sings of a wife in vain to this gay companion of the young Earl of Essex, Rutland and Southampton. She would not mind stripping her house of everything for him, her pictures, her carpets, and her chairs, if her eldest born would only marry a sober and religious girl. But all pretty faces are to him the same. When Francis rides away from Gorhambury, she sends after him a string of pigeons and a world of pious and tender exhortations for the good of body and soul.

LADY BACON TO FRANCIS BACON.

20th Aug. 1594.

I was so full of back-pain when you came hither, that my memory was very slippery. I forgot to mention of

13. Lambeth MSS. 650, fol. 168, 171, 223.

rents. If you have not, I have not, received Frank's last half-year of Midsummer, the first half so long unpaid. You will mar your tenants if you suffer them. Mr. Brocquet is suffered by your brother to cosen me and beguile me without check. I fear you came too late to London for your horse: ever regard them. I desire Mr. Trot to hearken to some honest man, and cook too as he may. If you can hear of a convenient place I shall be willing if it so please God; for Lawson will draw your brother wherever he chooses, as I really fear, and that with false semblance. God give you both good health and hearts to serve him truly, and bless you always with his favour. I send you pigeons taken this day, and let blood. Look well about you and yours too. I hear that Robert Knight is but sickly. I am sorry for it. I do not write to my Lord-Treasurer, because you like to stay. Let this letter be unseen. Look very well to your health; sup not, nor sit up late. Surely I think your drinking to bedwards hindereth your and your brother's digestion very much. I never knew any but sickly that used it, besides being ill for heads and eyes. Observe well, yet in time. Farewell in Christ. III. 13. — 1594. Aug. 20.

A. BACON.

At court affairs look grey. Elizabeth will not have a name forced on her for selfish ends. She hears bad news enough to worry the stoutest heart: now a stir among the Irish rebels, now the threat of a descent from Spain. Francis writes to Anthony:—

FRANCIS BACON TO ANTHONY BACON. Aug. 26.

BROTHER, Gray's Inn, Aug. 26, 1594.

My cousin Cook is some four days home, and appointeth towards Italy that day sennight. I pray take care

III. 13. for the money to be paid over within four or five days. The sum you will remember is 150*l.* I hear nothing from the Court in mine own business. There hath been a defeat of some force in Ireland by Macguire which troubleth the Queen, being unaccustomed to such news; and thereupon the opportunity is alleged to be lost to move her. But there is an answer by the coming in of the Earl of Tyrone as was expected.

1594. Aug. 26.

I steal to Twickenham, purposing to return this night, else I had visited you as I came from the town. Thus in haste I leave you to God's preservation.

Your entire loving brother,

FR. BACON.

Anthony is not now at Gray's Inn Square, having taken a house in Bishopsgate-street, a fashionable part of the city, near the famous Bull Inn, where plays are performed before cits and gentlemen, very much to the delight of Essex and his jovial crew, but very much, as Lady Ann conceives, to the peril of her son's soul. The good mother cannot put old heads on young necks, say what she will. "I am sorry," she writes to her easy elder-born, "your brother and you charge yourselves with superfluous horses; the wise will laugh at you; being but trouble to you both; besides your debts, long journeys, and private persons. Earls be earls." There is the rub. Lady Ann knows, and does not love, these madcap earls.

By help of Cecil, and the Vice-Chamberlain, Fulke Greville, Bacon succeeds so far as to get the nomination of Solicitor put off. For more than a year the situation undergoes no change.

14. The Queen is full of care; the tug and tempest of her reign being close at hand. The league of Pope and King, baffled by the swift scene at Fotheringay, broken by the loss of the Invincible Armada and the victories of Henri Quatre, has again been formed. Plans for seizing Guernsey and Jersey, arming the Ulster insurgents, throwing troops into Wales, and rousing a London mob, have been warmly debated in Madrid. Medina Cœli commands a mighty force at Cadiz. Philip at Madrid, Cardinal Archduke Albrecht at Brussels, are counting, pensioning, directing the English exiles, men amongst whom Wright and Winter, Stanley and Tresham, enjoy conspicuous favour. Father Parsons, Father Creswell, and Father Holt, the most bigoted and brazen of the English Jesuits, busy themselves among the needy and fanatical desperadoes of foreign courts and camps, everywhere vilifying the land which has cast them out, and whetting against their Queen the assassin's knife. Nor do they toil in vain. Two military ruffians, Captain Richard Williams and Captain Edward Yorke, offering to become the Clements—the Ravaillacs—of a more atrocious crime, have crossed the sea, and when taken, knife in hand, and flung into the Tower, confess that they have come into England commissioned by their spiritual and military chiefs for murder. They implicate by name Sir William Stanley and Father Holt. III. 14. 1595.

15. Bacon is sick of heart; looks wan and thin, as all the world takes note. The heady Earl has proved to him June 3.

14. J. Cecil to Sir R. Cecil, Mar. 1594, S. P. O.; Examination of Capt. Edward Yorke, Aug. 12, 1594, S. P. O.; Declaration of Henry Yonge, Aug. 12, 1594, S. P. O.; Confession of Richard Williams, Aug. 27, 1594, S. P. O.; Catalogue of Rebels and Fugitives receiving Pensions from Spain, Sept. 1594, S. P. O.; Council Reg., Oct. 29, 1594.

15. Lambeth MSS. 651, fol. 144. Patent Rolls 38 Eliz. par. vi. 25.

III. 15. a fatal friend. Lady Ann pours on her son her counsels
— and consolations.
1595.
June 3.

LADY BACON TO ANTHONY BACON.

June 3, 1595.

I am sorry your brother with inward secret grief hindereth his health. Everybody saith he looketh thin and pale. Let him look to God and confer with Him in godly exercise of hearing and reading, and continue to be noted to take care. I had rather ye both, with God's blessed favour, had very good healths, and were well out of debt, than any office. Yet though the earl showed great affection, he marred all with violent courses.

I pray God increase His fear in his heart and a hatred of sin; indeed, halting before the Lord and backsliding are very pernicious. I am heartily sorry to hear how he [the Earl of Essex] sweareth and gameth unreasonably. God cannot like it.

I pray show your brother this letter, but to no creature else. Remember me and yourself.

Your mother,

A. B.

If the Queen hangs back, and if Burghley hesitates, it is not from dislike or distrust to Bacon; but simply because so grave a nomination as a successor to Coke ought not to be made as a bounty or a submission to the Earl. The more they feel that such a post can never be filled in such a way, the more they strive to let the world see that the advocate, not the candidate, is in fault.

July 14. At the express suggestion of Burghley and Fortescue, the Queen appoints Bacon one of her Counsel Learned in the

Law, and confers on him, at a nominal rent, a good estate. This grant comprises sixty acres, more or less of wood, in the forest of Zelwood in the county of Somerset, known as the Pitts; which Bacon receives from the Crown on a rent of seven pounds ten shillings a-year, payable at the feasts of St. Michael the Archangel, and of the Annunciation of the Virgin. III. 15. — 1595. July 14.

16. If Elizabeth pauses in her choice of a Solicitor-General, her servants see that Bacon's hopes are for the moment dead. Lady Ann hears this bad news at Gorhambury, and writes to console her son. Aug. 7.

LADY BACON TO ANTHONY BACON.

Aug. 7, 1595.

If Her Majesty have resolved upon the negative for your brother, as I hear, truly, save for the brust a little, I am glad of it. God in His time hath better in store I trust. For considering his kind of health and what cumber pertains to that office, it is best for him I hope. Let us all pray the Lord we make us to profit by His fatherly correction; doubtless it is His hand, and all for the best, and love to His children that will seek Him first, and depend upon His goodness. Godly and wisely love ye, like brethren, whatsoever happen, and be of good courage in the Lord, with good hope.

A. B.

And how does Bacon bear this prospect of defeat? Merrily, it seems. There is a glimpse of him in his mother's notes to Anthony:—"With a humble heart before God, let your brother be of good cheer. Alas! what excess

16. Lambeth MSS. 651, fol. 211.

III. 16. of bucks at Gray's Inn!* And to feast it on the Sabbath! God forgive and have mercy upon England!"

1595.

Sept. 17. A fleet has gone from Plymouth under Drake. A fleet more terrible to the Don is arming under Raleigh. Drake is a marauder, Raleigh a statesman. If he can burn Nombre di Dios and spoil the carracks of Margarita, Drake will be at peace. Raleigh, fresh from his romantic voyage to the Amazon, flushed with the hope of conquest and discovery, is bent on founding States.

Bacon, who sees in Raleigh, not alone the nimble wit, the proud courtier, the dashing seaman, but the leader of vast horizon, of philosophic thought, would like to keep Essex on easy terms with him; the two men holding, as far as might be, a common course in politics and in war. Their loves and hates are the same. Each longs for war; a war of books and laws against Rome, a war of pikes and culverins against Spain. Each in his own person represents the youth and genius of the time: Essex that of the nobles, Raleigh of the gentry. Each of the two seems to Bacon needful to the other and to the common cause: the Queen's kinsman to uphold it against timid counsels at court, the founder of Virginia to maintain it against Philip's admirals on the Spanish Main. A frank and loyal union of these two men would have given England the free use of all her arms; in the long run it would have saved them both from the block. With tongue and pen Bacon labours to make peace between them. He seeks to push the new expedition. In spite of Raleigh's pride, which often mars his work, he repeats to Essex that Raleigh will be his stanchest and safest friend.

17. Elizabeth to Raleigh, Nov. 1595, S. P. O.; Notes of the Supplemental part of the Entertainment given at York House, Nov. 17, 1595, S. P. O.

Essex is preparing to receive the Queen at York House in the Strand with a grand entertainment and a sumptuous masque given in her honour; for which Bacon is composing characters and words. The play being given in Essex's name, here are the means for a striking and conspicuous compliment to Raleigh. Bacon frames a scene of the masque in happy allusion to the Amazon and to Raleigh's voyage. III. 17. 1595. Sept.

18. Essex has not the grace to let it stand. The glory of Raleigh breaks his rest, for he himself aspires to be all that Raleigh is—renowned in war even more than in letters and in courts. He strikes his pen through Bacon's lines, which drop from the acted scene and from the printed masque. A contemporary copy of this suppressed part remains in the State Paper Office: a proof how much, five years before the Earl rushes into high treason, Bacon leans to the side of her Majesty's Captain of the Guard. Nov.

The opportunity thrown away by Essex, Burghley and Cecil hug to their hearts. They give, not only their countenance to Raleigh, but their money to the Guiana voyage; Burghley contributing five hundred pounds, Cecil a new ship, the hull of which alone costs him no less than eight hundred pounds.

19. The Earl's want of tact and temper is more hurtful to his friends than to his foes. He does Raleigh no great harm; he causes Bacon the most grievous loss: Give me this place of the Solicitor—he drums and drums at the Queen's ear. She thinks her law officers should be chosen by herself, and for their good parts, not to please Nov. 5, 1595.

18. Entertainment given to the Queen at York House, Nov. 17, 1595; Sydney Papers, i. 377.

19. Warrant Book, Nov. 5, 1595.

III. 19. — 1595. Nov. the fancy or make good the pledges of a carpet knight. She will not do a right thing for a bad reason or in a wrong way. Her courts are crowded with able men. She is old enough to choose a servant for herself. As Essex grows hot, she cools: when he storms upon her and will not be denied, she turns from the spoiled boy, her nomination made. Bacon must wait; Fleming shall be her man.

20. Lord Campbell says, as writers have said from the days of Bushel, that the Earl atoned to Bacon for his failure by a gift of Twickenham Park. It happens, however, that Twickenham Park was not, and never had been, the Earl's to give. That lovely seat, which blooms by the Thames, close under Richmond Bridge, fronting the old palace, and some of the elms of which stand, venerable and green, in the days of Victoria, had belonged to the Bacons for many years. In 1574, while Essex was a boy at Chartley, Twickenham Park, together with More Mead and Ferry Mead, the adjoining lands, had been granted by the Queen to Edward Bacon on lease. The lease is enrolled, and a copy of it may be read in one of the appendices of this book. Francis lived in the house, as his letters prove, long before his patent of Solicitor passed the Seal. It had all the points of a good country house; a green landscape, wood and water, pure air, a dry soil, vicinity to the court and to the town. From his windows he could peer into the Queen's alleys; in an hour he could trot up to Whitehall or Gray's Inn. Every plant that thrives, every flower that blows, in the south of England, loves the Twickenham soil. There were cedars in the great park, swans on the river,

20. Rolls, Mar. 3, 16 Eliz., Record Office.

singing-birds in the copse; every sight to engage the eye, every sound to please the ear. III. 20.

He loved the house, and lived in it when he could steal away from Gray's Inn. It was his house of letters and philosophy, as the lodging in Gray's Inn Square was his house of politics and law. In fact, when the Earl ferried over from Richmond Palace, he leapt from his barge on to Bacon's lawn. 1595. Nov.

21. Unable to pay his debt by a public office, Essex feels that he ought to pay it in money or in money's worth. The lawyer has done his work, must be told his fee. But the Earl has no funds. His debts, his amours, his camp of servants eat him up. He will pay in a patch of land. To this Bacon objects: not that he need scruple at taking wages; not that the mode of payment is unusual; not that the price is beyond his claim. Four years have been spent in the Earl's service. To pay in land is the fashion of a time when gold is scarce and soil is cheap. Nor is the patch too large; at most it may be worth 1200*l.* or 1500*l.* After Bacon's improvements and the rise of rents, he sells it to Reynold Nicholas for 1800*l.* It is less than the third of a year's income from the Solicitor-General's place. Bacon's doubts have a deeper source. Knowing the Earl's fiery temper, and sharing in some degree his mother's fears, he shrinks from incurring feudal obligations to one so vain and weak. Hurt by his hesitation, Essex pouts and sulks; being, as he truly says, the sole cause of this loss of place, he will die of vexation if he be not allowed in some small measure to repair it. Bacon

21. Sir Francis Bacon, his Apologie in certain imputations concerning the late Earl of Essex, written to his very good Lord the Earl of Devonshire, 1604, 13, 16.

III. 21. — 1595. Nov. submits. Yet even in taking the strip of ground, he betrays the uneasy sentiment lurking in his heart. "My Lord," he says, "I see I must be your homager and hold land of your gift; but do you know the manner of doing homage in law? Always it is with saving of his faith to the King."

22. What says the Queen? Writers who laud the generosity of a man to whom Bacon owed loss of character and loss of place, denounce the stinginess of a woman to whose noble and unfailing friendship he owed almost everything which he possessed on earth. These scribes are hard to please: they treat Bacon as a rogue whom it is the duty of honest men to scourge; yet decry the Queen for laying on the lash. What would they have? If Bacon were the rascal they have made him, surely the Queen would have done well in starving his powers of mischief! Their reasoning is faulty as their facts. Inquiry at the Rolls Office would have shown them that, even while she was naming Fleming for her Solicitor-General, Elizabeth was Francis Bacon's most warm and munificent friend.

She long ago gave him a reversion of the Registry of the Star Chamber; a post, when he should get it, worth 1600*l.* a year. As he could no more spare his jest than Tully, he said it was like having another man's land near his house: it improved his prospect, but did not fill his barn. With woeful lack of humour, Rawley mistook this truly Baconian laughter for a groan; and the poor chaplain's petulant wail misled Montagu into dreaming, contrary to all the evidence of Rolls and grants, that Elizabeth put the

22. Montagu, xvi., part i. 27.

yoke on Bacon's neck. This blunder of Rawley drove Montagu to the drollest shifts. Knowing how Bacon cherished her fame in his heart of hearts, how was the biographer to reconcile this fable of her stinginess to him with the fact of his undying gratitude to her? He hit on the queerest explanation. Does a father who loves his son spare the rod? Are not pangs and stripes good for the soul? Yes, the great Queen must have understood the great man; in mercy to the world, she crossed him at the bar and starved him at the court! Macaulay rent and tossed this amazing theory; but neither he nor Lord Campbell ever paused to ask if it were true that Elizabeth left him to starve. III. 22. — 1595. Nov.

23. The reversion of the Star Chamber, the grant of Zelwood Forest, the post of her Counsel learned in the Law, are but a foretaste of her love. Edward Bacon's lease of Twickenham Park has just expired; that lovely home by the water edge will be his no more. The house has an importance beyond the beauty of its site; a merit rarer than the green mead, the leafy wood, the rushing stream, the whitening swans; it stands all day in the sovereign's sight. To live in such a place is to be a daily guest in her Majesty's mind. The house is good, the park spacious; within the pales are eighty-seven acres of lawn and pasture, lake and orchard; beyond the pales five or six acres of mead and field. It is a home for a prince.

Fourteen years ago the park was leased to Milo Dodding for thirty years, commencing from the expiration of Edward Bacon's term; but on passing to Fleming the patent of his place, the gracious Queen makes over to

23. Rot. 38 Eliz., pars vi. 20, Record Office.

III. 23. — 1595. Nov. 17. Francis Bacon a reversion of this lease. On the fifth of November Fleming gets his commission as Solicitor-General; on the seventeenth of November, the day of his masque at York House, of his proposed compliment to the Guiana voyage, Bacon's grant of the reversion of Twickenham Park passes under the Privy Seal.

CHAPTER IV.

TREASON OF SIR JOHN SMYTH.

IV. 1. — 1596. May.

1. THE Queen not only endows Bacon with lands, and with the reversion of lands and offices, but employs him in her legal and political affairs; often in business which would seem to belong exclusively to the department of Fleming or of Coke. As her Counsel learned in the Law, he is engaged in the prosecution of William Randal. He is consulted in the more momentous charge against Sir John Smyth, who stands accused of no less a crime than that of an attempt, under circumstances of peculiar guilt, to provoke a military mutiny and insurrection against the Queen.

2. In the spring of 1596 an expedition, meant to anticipate the Roman league, has been arming in the Thames. Its destination is unknown, though the few suspect that a blow will fall on the most prosperous and beautiful of Spanish ports. Raleigh is still at home; Keymish having gone with his fleet of ships to the mouths of the Amazon. Vere and Effingham are drilling troops. Essex —martial, if not military—is pouting for command. Anthony and Francis Bacon busy themselves in collecting news for the Queen from foreign spies and foreign Gazettes. While the Earl of Essex lies at Plymouth, waiting for

1. Egerton, Fleming, and Bacon to the Council, May 3, 1596, S. P. O.; Lucas to the Council, June 23, 1596, S. P. O.

2. Lambeth MSS. 657, fol. 29, 30.

IV. 2. — 1596. May 15. Raleigh and the rear-guard of his fleet to come round, Francis writes to his brother:

FRANCIS BACON TO ANTHONY BACON.

MY VERY GOOD BROTHER, May 15, 1596.

I have remembered your salutation to Sir John Fortescue, and delivered him the Gazette, desiring him to reserve it to read in his barge. He acknowledgeth it to be of another sort than the common. I delivered him account so much of E. Hawkins' letter as contained advertisements copied out; which is the reason I return the letter to you now; the Gazette being gone with him to the court.

The next words consecutive I have not acquainted him with, nor any of them. The body is for more apt time. So, in haste, I wish you comfort as I write.

Your entire loving brother,

FR. BACON.

Fourteen days later, the fleet now riding in Plymouth Sound, Bacon writes again. Anthony, tiring of the Earl's unprofitable service, wishes to be sent abroad as agent or ambassador: a post for which he is eminently fit. To his suit for such a place Francis refers:

FRANCIS BACON TO ANTHONY BACON.

GOOD BROTHER, From the Court, May 31st, 1596.

Yesternight Sir John Fortescue told me you had not many hours before imparted to the Queen your advertisement, and the Gazettes likewise, which the Queen desired Mr. H. Stanhope to read all over unto her; and her Majesty commandeth they be not made vulgar. The ad-

vertisement her Majesty made estimation of, as concurring with the other advertisements, and belike concurring also with her opinion of the affairs. So he willed me to return to you the Queen's speeches. Other particulars of any speech from her Majesty of yourself he did not repeat to me. For my Lord of Essex and the Lord-Treasurer, he said he was ready and disposed to do his best. But I seemed to make it only a love-suit, and passed presently from it, the rather because it was late in the night, and I was to deal with him on some better occasion after another manner, as you shall hereafter understand from me. I do find in the speech of some ladies, and the very fairest of this court, some additions of reputation as methinks to be both; and I doubt not but God hath an operation (?) in it that will not suffer good endeavours to perish. The Queen saluted me to-day as she went to supper. I had long speech with Sir Robert Cecil this morning, who seemed apt to discourse with me. Yet of your hest not a word (?) This I write to you in haste, *aliud ex alio*. I pray you, in the course of acquainting my Lord, say, where presseth, at first by me, after from yourself, I am more and more bound to him. Thus, wishing you good health, I commend you to God's happiness. IV. 2. — . 1596. May 31.

Your entire loving brother,

FR. BACON.

3. Against the Queen's sounder-sense, Essex gets command of the land forces told off for a dash at Cadiz. On the eve of sailing, conscious that, though he may have meant the best, he has done for Bacon the worst that man could do, he writes in kindly but superfluous words to

3. Lambeth MSS. 657, 90.

IV. 3. recommend him to the care of his oldest and sagest friend. Thus, in generous helplessness, he writes to Egerton:

1596. May.

ESSEX TO LORD KEEPER EGERTON.

MY VERY GOOD LORD, May 27, 1596.

I do understand by my good friend Mr. F. B. how much he is bound to your lordship for your favour. I do send your lordship my best thanks, and do protest unto you there is no gentleman in England of whose good fortune I have been more desirous. I do still retain the same mind; but, because my intercession hath rather hurt him than done him good, I dare not move the Queen for him. To your lordship I earnestly commend the care I have of his advancement; for his parts were never destined to a private and (if I may so speak) an idle life. That life I call idle that is not spent in public business; for otherwise he will ever give himself worthy tasks. Your lordship, in performing what I desire, will oblige us both, and within very short time see such fruit of your own work as will please you well. So, commending your lordship to God's best protection, I rest, at your lordship's commandment,

ESSEX.

June. 4. At length they are gone; Effingham, Raleigh, Vere, Montjoy, all the great fighting men, on board; leaving England for the moment bare of fleets or troops. Twelve days have worn since the ships weighed anchor in Plymouth Sound, and not one word of news has come to shore. They may be hundreds of fathoms deep in the Bay of Biscay,

4. Gilbert to Raleigh, Mar. 16, 1596, S. P. O.; Gorges to Burghley, April 12, 1596, S. P. O.; Proclamation by the Earl of Essex, April 14, 1596, S. P. O.; Queen Elizabeth to Cobham, June 7, 1596, S. P. O.; Council Reg., June 1 to August 7, 1596.

or lie crushed and strewn under Lisbon rock. Should they have perished as the Invincible Armada perished! It is known that the Twelve Apostles, gigantic Andalusian war-ships, float in Cadiz bay; that a fleet of transports rides at the Groyne; that a Spanish army of horse and foot crouches behind the heights of San Sebastian and the walls of Bilboa;- that a body of victorious troops, flushed with the assault of Calais, occupies the dunes which look on Dover cliffs. It is felt that a storm, a repulse, even a dead calm, may give the signal for a swarm of Pandours and Walloons to burst into Kent. IV. 4. 1596. June.

Some, in this day of dark suspense, dispute the policy of having sent the fleet on such a cruise—many blame the ambition which pulls the weaver from his loom, the hind from his plough. Every one has to submit to loss of money or loss of time. The train-bands garrison the city and protect the Court. Lord Cobham holds the Cinque Ports. Sir Thomas Lucas puts the men of Colchester under drill. The bombardiers of Dover, Plymouth, and Milford Haven stand to their guns. Musters for defence gather even in the midland and northern shires; where, at a call from the Privy Council, yeomen snatch down their bills and pikes, often rusty and out of date, bills which were swung in Bosworth field, bows which were drawn at Agincourt. On every village green, and under every market-cross, drums beat and tabors sound the local force to arms.

5. Now is the time for friends of Rome to strike. Where there is much to bear, a man of weak understanding will June 12.

5. Elizabeth's Letters Patent to raise troops in Kent, Sussex, Middlesex, and Surrey, for relief of Calais, April 1596, S. P. O.; Smyth to Cecil, Mar. 14, 1600, S. P. O.; Discourse of the Providence necessary to be had for the setting up of the Catholic Faith, Aug. 1600, S. P. O.

IV. 5. — 1596. June 12.

infer that, despite ambition and pride of race, there must be fires of discontent ready to flare out. When discontent is armed, it may be led to abuse its strength; so at least reasons the rich country gentleman, Sir John Smyth.

Smyth is a Roman Catholic, owner of Baddow and Coggeshall, in Essex; a friend of the great Seymour family; an ally of Catherine de' Medici; a correspondent of the foreign Jesuits and priests. His life has been one long plot. In the war now booming, all his love lies beyond the sea. The doctrine taught by Parsons and Bellarmino, that a good Roman Catholic must fight and pray for his Church, even against his native sovereign and his native land, is an active portion of his creed. Others may wish to maim the government, may pray for storms to whelm or cannon to crush the English fleet; Smyth, alone, is fool enough to risk his neck by active measures in support of the allies of his Church. The fighting men gone, he beholds the Queen, the lords of her Council, all the peers of her realm, at the mercy, as he thinks, of an armed, uncertain mob. A march on London, a fight under the windows of Whitehall, may cause the fleets to hie back to Plymouth, or the Spaniards to cross the Straits.

Cries are never wanting to a traitor. There is the old, old feud of poor against rich; the old, old aversion of local troops to serve the Crown in its foreign wars. Unhappily both these feuds are now malignant: that between rich and poor being embittered by the recent conversion of a vast extent of plough-land into pasture, by the destruction of a great number of cottages and holdings, and by the increase of sheep-walks and of parks for the preservation of red and fallow deer; that between the local troops and the Crown, by reports that the musters have been forced

to go on board the fleet, and that soldiers raised in the metropolitan shires have been sent by the Government into France. IV. 5. — 1596. June 12.

The decay of tillage, the increase of sheep and deer, are for the yeoman class, and for the country of which they are the thew and sinew, dark events. The yeomen kick against the goad; for, not being skilled in science, they cannot see that they are driven from their farms by the operations of a natural law. If they have ever heard that, as wool pays better than rent, their landlords prefer sheep to men, the news has not reconciled them to the conversion of their old farms into sheep-walks or deer-parks. Smyth, as a country gentleman, sees this sore, and fancies he may turn the discontent against the Queen.

6. Like his neighbours, Smyth hands down from his walls the rusty arms, calling in Frost of Colchester to edge his swords and string his bows. Thomas Seymour, one of those weak descendants of Mary Brandon whose blood is too red for their sovereign's comfort, or their own, joins him in his freak. With an army of two mounted followers, Smyth and Seymour ride into the field at Colchester in which Sir Thomas Lucas, fiercely loyal, drills his troop. Reining their steeds in front of the yeoman line, Sir John cries, Who will go with me? There are traitors round the Queen who grind the poor into bondmen; who send them out of the realm; who break the laws; who weaken the country, who ruin the yeomen. These traitors have killed nine thousand foot in their foreign wars, and they will send you out of England to be slain.

6. Examination of John Lucas and others, June 12, 1596, S. P. O.; Examination of Frost, June 22, 1596, S. P. O.; Smyth to Mannocke, June 13, 1596, S. P. O.

IV. 6. "Shall we go with you, Sir John?" asks a trooper.

1596. June 12. "You shall go with a better man than me—than Sir Thomas Lucas," shouts Smyth. "Here is a noble man of the blood royal, brother to Lord Beauchamp; he shall be your captain. I myself shall be his assistant. Down with Burghley! Who goes with me, hold up his hand."

Not one. No hand, no cry is raised. Treason that halts is lost; and whoever is not with the traitor is against him. Meshed in a fearful crime, the four horsemen prick from the field, part in the slob, and hide themselves from pursuit in the sands of the sea-shore. Smyth seeks a boat for France; but the summer morning dawns on him staggering, faint and hopeless on the coast; when, crazed with fear, he skulks home to Baddow, where he vainly hopes to hide his face from the local magistrates, now hurrying on his track.

June 19. 7. Sent up to London, lodged in the Tower, Smyth confesses his crime. Coke and Fleming receive orders from the Privy Council to call in Bacon and Waad, a clerk of the Council, and then to take the evidence, look up the law, and, if they find the offence treason, prepare articles of indictment against Smyth. These four commissioners meet, find the acts at Colchester treason, and report that the offence is punishable by a special statute.

Bacon, not content, like the Attorney-General and Solicitor-General, with setting the law in motion to hang this wretched man, asks himself how a country knight, not wholly crazed, could ever have dreamt that, on a cry of "Down with sheep and deer," honest men could be

7. Smyth to the Council, June 19, 1596, S. P. O.; Council to Coke, Fleming, Waad, and Bacon, June 27, 1596, S. P. O.; Smyth's Examination, June 28, 1596, S. P. O.; Abstract of Evidence against Sir John Smyth, July 1596, S. P. O.

roused to mutiny against their Queen. To a philosophic mind the reason of a thing is often of larger interest than the thing itself. Is there discontent among the yeomen? If so, is there cause? He makes a wide and sweeping study of this question of Pasturage versus Tillage, of Deer versus Men, which convinces him of the cruelty and peril of depopulating hamlets for the benefit of a few great lords. This study will produce when Parliament meets again a memorable debate and an extraordinary change of law. IV. 7. — 1596. June 19.

8. While Coke and Bacon wind out of Smyth's confessions the threads of his interrupted treason, comes in, wave on wave, the news of such a victory as only twice or thrice in a thousand years has stirred our English phlegm. It comes in first by a Dutch skipper, who puts three men on the Devonshire coast. The tale they tell is beyond belief: the city of Cadiz taken, an armada sunk, Porto Santa Maria wrapt in flame, the Duke of Medina Cœli driven from his lines, the road from San Lucar to Seville blocked up with the fugitive population of a great province hurrying for their lives. Some nine days pass, when a Scotch boat drops into Dartmouth with the same news. A few hours later still the van of the victorious fleet rides into Plymouth Sound, laden with such spoil, such heaps of plate, gold, jewels, damasks, silks, hangings, carpets, scarfs, as living Englishmen have only seen in dreams. To hear that the fleet is safe would have been joy enough; this fiery triumph of our arms, this glow of spoil and conquest, all but drive men mad. July 16.

8. Carey to Cecil, July 16, 1596, S. P. O.; Report from Cadiz, July 16, 19, 21, 1596, S. P. O.; Report of the Spoil taken at Cadiz, Aug. 11, 1596, S. P. O.

IV. 9. — 1596. Sept.

9. Most mad of all is Essex. The glory obtained by Raleigh and Effingham chafes his pride; the elevation of Cecil in his absence into First Secretary of State disturbs his power. If much remains to him, much is not enough. A warrior who has pushed through the Puerta de la Tierra, and seen the loveliest city in the west of Europe at his feet, should be suffered, he thinks, to enjoy a monopoly of power and fame. Yet a senseless country shares the credit with his rivals, while a forgetful Queen has given the most active place in her government to his foe. On every side he is robbed of his due: getting neither his fair part of the spoil, nor anything like his fair part of the reputation. So he sulks and pouts; prints his own account of the voyage; finds fault with the generals and admirals; tells the sailors of the fleet and the soldiers in the camp that their success would have been far more prompt, their prizes far more abundant, had his command of them been unfettered by such a council of fools and cowards.

But Cecil's rise at home provokes him more than Raleigh's success abroad. This case is a repetition of Bacon's case. Sir Thomas Bodley, that experienced scholar and diplomatist to whose wealth and taste we owe the princely library at Oxford, has, like Bacon, been of use to the Earl. Essex, who pays his debts in offices and grants, has pledged his word that Bodley shall be Secretary of State. The Queen has not kept her kinsman's pledge. On his return from Spain, perceiving that he was sent away from London to give Cecil an open field, he begins to sulk and storm. He will not stay at court to be mocked. He will bury his grief at Wanstead, or rush

9. Lambeth MSS. 658, fol. 21; Censures of the Omissions in the Expedition to Cadiz, 1596; Camden's Ann. Eliz., 1596; Bacon's Apologie, 19, 20; Devereux, i. 380.

away to the wars, and find peace of heart on a Spanish pike! IV. 9. 1596.

Lady Ann's quick ear and loving eye perceive the change that Cecil's elevation, the Earl's discomfiture, must work at court. Now that her sister's son, who so bitterly hates the Earl and so sharply resents the connexion of any of his own able kin with the insolent and brainless peer, has come to his height of power, she writes to warn Anthony of the evil days in store for them, now Cecil is greater than before, and of the need for her sons to walk with a more wary step. It is the last letter from her pen, closing, as a good woman's letters should do, with words of love.

LADY BACON TO ANTHONY BACON.

July 10, 1596.

Now that Sir Robert is fully stalled in his long longed-for secretary's place, I pray God give him a religious, wise, and an upright heart before God and man. I promise you, son, in my conjectural opinion, you had more need now to be more circumspect and advised in your troublous discoursings and doings and dealings in your accustomed matter, either with or for yourself or others, whom you heartily honour, nor without cause. He now hath great advantage and strength to intercept, prevent, and to say where he hath been or is in. Son, be it revelation or suspicion, you know what terms he standeth in towards yourself, and would needs have me tell you so; so very vehement he was. Then you are said to be wise, and to my comfort I willingly think so; but surely, son, on the other side, for want of some experience by action and your tedious unacquaintance of your own country by continual chamber and bed-keeping, you must need miss of considerate judgment in your verbal only travailing.

IV. 9. — 1596. If all were scant sound before betwixt the Γιαξλ [Earl of Essex] and him, friends had need to walk more warily in his days; for all affectionate doing he may hurt though pretending good. The father and son are joined in power and policy. The Lord ever bless you in Christ. Still I hearken for Yates; I doubt somebody hindereth his coming to me. It were small matter to come speak with me. You know what you have to do in regard touching the Spaniard. I reck not his displeasure; God grant he mar not all at last with Spanish popish subtlety. Alas! what I wrote touching the poor sum of five pounds to your brother [Francis], I meant but to let you know plainly. I would rather nourish than any little way weaken true brotherly love, as appeareth manifestly to you both. God forbid but that you should always love heartily, mutually, and kindly. God commandeth love as brethren, besides bond of nature. This present time I am brewing but for hasty and home drinking. In truth, if I should purposely make a tierce somewhat strong for you, I know not how to have it carried through. It were pity that you and I both should be disappointed. Burn, burn, in any wise.

From your mother,

A. B.

Bacon warns the Earl against hasty speeches and offensive acts. Essex swears the rough way is the only way with Elizabeth. She may be driven, not led. "My lord," says Bacon, "these courses are like hot waters; they may help at a pang, but they will not do for daily use." Essex seems crazed. Bacon seeks to dissuade him from this lust of arms; his proper weapon being a chamberlain's stick. In happy phrase he tells him that this

haughty bearing to the Queen, this craving for command in camps, may prove to him the two wings of Icarus—wings joined on with wax; wings which may melt as he soars to the sun. IV. 9. 1596. Sept.

10. Essex cools to a man whose talk is so very much wiser than he wants to hear. They have no scene, no quarrel, no parting; for there are no sympathies to wrench, no friendships to dissolve. Essex ceases to seek advice at Gray's Inn. They now rarely see each other. Bacon is writing his Essays, fagging at the bar, slipping into love; and Essex is still happy to serve him, when he can do it at anybody's cost but his own. 1597. June.

Francis falls into love. Lord Campbell thinks he only falls into debt. "He was desperately poor; he therefore made a bold attempt to restore his position by matrimony." This is surely in Bantam's vein. "When one doesn't know," asks the cockfighter, "is not it natural to think the worst?" The lady that Bacon courts is rich and of his kin. Elizabeth Hatton, a granddaughter of his uncle Burghley, niece of his cousin Cecil, has been left a widow, young, lovely, powerful in her friends and in her fine estate. The mistress of Hatton House, of Corffe Castle, of Purbeck Isle, a woman whose lovely hand is celebrated in Jonson's verse—

> "Mistress of a finer table
> Hath not history or fable,"—

has, of course, crowds of adorers at her feet: among them men no less renowned than William Earl of Pembroke and Francis Bacon. The lady, or her kinsman for her, puts aside their suits. Cecil looks on his fair niece as a thing

10. Essex to Sir Thomas Cecil, June 24, 1597; Bankes's Story of Corffe Castle, 34.

IV. 10. to be sold for his own gain. Her youth, her beauty, her great inheritance are precious in his sight, and the husband for such a woman must be to him a strong defender or a useful slave.

1597. June.

Essex, on the point of sailing for the Azores, writes to Sir Thomas and Lady Cecil, saying, if he had a sister to give away in marriage, he would gladly give her to his friend. If this means more than the cheap generosity of words, it is most fortunate for Francis that Penelope and Dorothy, the Earl's two sisters, are already in holy bonds. It would have been bad enough for him to have won Lady Hatton; it would have been awful to have stood in the shoes of Northumberland or Rich.

Oct. 22. 11. During the Earl's absence at the Azores Effingham is made an earl: an affront to Essex more galling than the rejection, on his suit, of the services of Bacon and Bodley; for this creation robs him, as he thinks, of the glory of Cadiz fight, and permits a man whom he loathes to walk before him in the Queen's train and sit above him in the House of Peers. When he hears of this grant having passed the Seal, he quits his command without leave, hurries up to town, and, finding the thing done, insults the Queen, spurs to Wanstead House, defying at once the entreaties of the Council to return, and the advice of his best friends to submit. A dark and ruinous spirit now stands by his side. Raleigh screens him from blame in his great failure at the Azores; pleading for him with the Queen in almost passionate terms; but Raleigh is the lion in the way of Blount, his new and most confidential friend. Under the lead of Sir Christopher Blount, Essex parts from

11. Patent of the Earldom of Nottingham, Oct. 22, 1597, S. P. O.; Elizabeth to Essex, Oct. 28, 1597, S. P. O.; Raleigh to Cecil, July 20, 1597, S. P. O.; Cecil to Essex, July 26, 1597, S. P. O.; Devereux, i. 467.

his old Protestant and patriotic allies, from Bacon and Raleigh, from Cecil and Grey, turning his eyes and ears to the blandishments of loose women and the suggestions of discontented men; to such wantons as Elizabeth Southwell and Mary Howard, to such plotters as Robert Catesby and Christopher Wright. A craze is in his blood and in his brain. "It comes from his mother," sighs the hurt and angry Queen. IV. 11. 1597. Oct.

12. As Lettice Knollys, as Countess of Essex, as Countess of Leicester, as wife of Sir Christopher Blount, this mother of the Earl has been a barb in Elizabeth's side for thirty years. Married as a girl to a noble husband, she gave up his honour to a seducer, and there is reason to fear she gave her consent to the taking of his life. While Devereux lived, she deceived the Queen by a scandalous amour, and after his death by a clandestine marriage, with the Earl of Leicester. While Dudley lived, she wallowed in licentious love with Christopher Blount, his groom of the horse. When her second husband expired in agonies at Cornbury, not a gallop from the place in which Amy Robsart died, she again mortified the Queen by a secret union with her seducer Blount.

Her children riot in the same vices. Essex himself, with his ring of favourites, is not more profligate than his sister Lady Rich. In early youth Penelope Rich was the mistress of Sydney, whose stolen love for her is pictured in his most voluptuous verse. Sydney is Astrophel, Penelope Stella. Since Sydney's death she has lived in shameless adultery with Lord Montjoy, though her hus-

12. Papers of Mary Queen of Scots, xvi. 7, 15, 16, 17: Camden's Ann. Eliz., 632; Craik's Romance of the Peerage, i. 5, 338.

IV. 12. band Lord Rich is still alive. Her sister Dorothy, after wedding one husband secretly and against the canon, has now married Percy, the wizard Earl of Northumberland, whom she leads the life of a dog.

1597. Oct.

Save in the Suffolk branch of the Howards, it would not be easy to find out of Italian story a group of women so detestable as the mother and sisters of the Earl.

13. The third husband of Lady Leicester is her match in licentiousness, more than her match in crime. By birth a papist, by profession a bravo and a spy, Blount is incapable either of feeling for his wretched wife the manly love of Essex, or of treating her with the lordly courtesy of Leicester. Brutal and rapacious, he has married her, not for her bright eyes, now dim with rheum and vice, but for her jewels, her connexions, and her lands. He cringed to Leicester, that he might sell the secrets of his cabinet and enjoy the pleasures of his bed. With the same blank conscience, he wrings from the widow her ornaments and goods. Chain, armlet, necklace, money, land, timber, everything that is hers, wastes from his prodigal palm. He beats her servants; he thrusts his kinsfolk upon her; he snatches the pearl from her neck, the bond from her strong box. A villain so black would have driven a novelist or playwright mad. Iago, Overreach, Barabas—all the vile creatures of poetic imagination, are to him angels of light. What would have been any other man's worst vice, is Blount's sole virtue—a ruthless and unreasoning constancy to his creed. Fear and shame are to him the idlest of idle words; and, just as he would follow the commands of his general, he obeys the dictation of his priest. As a libertine and as a spy, his

13. Craik's Rom. Peerage, i. 127, 208.

days have been spent in dodging the assassin or in cheating the rope. Waite was sent by Leicester to kill the villain who had defiled his bed; Blount repaid the courtesy by prompting or conniving at Leicester's death. Taught by Cardinal Allen, deep in the Jesuit plots, he has more than once put his neck so near the block, that a world which neither loves nor understands him hugs itself in a belief that he must have bought his safety from arrest and condemnation by selling to Walsingham or Cecil the blood of better and braver men. IV. 13. — 1597. Oct.

14. This bravo has subdued the imperious Countess of Leicester to his will. She has been to him an easy, if not an ignoble prey; for the profligate woman dotes on her tyrant; so that she who could barely stoop to the kiss of Devereux and Dudley, prides herself on the blessing of being robbed and cuffed by a wretch without grace, accomplishments, or parts. When, for his private gain and the promotion of his faith, it serves Blount's turn to win over Essex the same brutal ascendency which he has established over Lady Leicester, he feels no pang of heart in turning her tenderness as a mother into the abominable instrument of his guile. His bold, coarse arts are soon successful with the giddy youth; who draws closer and closer to his mother's husband, puts him into places of trust near his person, listens to his counsels, makes associates of his male and female friends, gets him a command in the army, and gives him a seat in the House of Commons.

14. Devereux, i. 281; Council Reg., Mar. 16, 1600. The frequent recurrence of the Privy Council Register in these notes reminds me that I ought to express, and in the warmest manner, my many obligations to Henry Reeve, Esq., of the Privy Council Office. I owe to his ready and unvarying kindness an easy access to the sources of some of the most important facts in this volume.

IV. 14. — 1597. Oct. Bacon and Blount propose to Essex the two courses most opposed to each other: Bacon the abandonment of his military pomp, of his opposition to the Queen, and the acceptance now and for ever of that great part which Leicester had filled for so many years; Blount the pursuit of war and glory, so as to dazzle the multitude, overawe the Queen, find employments for his companions, and consolidate his personal power. Bacon would make him chief of the Protestant nation, Blount of a discontented and disloyal Roman Catholic sect. One asks him to be grave, discreet, and self-denying. The other fires his blood with maddening and dramatic hopes. He cleaves to Blount, who tempts him with the things for which his restless and evil nature pants. He begins to toy with treason. He admits Roman Catholics of sullied reputation and suspected loyalty into his confidence. He even interferes to protect from justice the traitor Sir John Smyth.

Oct. 24. 15. At the end of those four years for which Bacon has compelled the Government to accept of subsidies, the money being spent, writs for a new parliament go out. Bacon now stands for Ipswich, the family county town and the aim of his warmest ambition; having for his colleague in the representation Michael Stanhope, a grand-nephew of Lady Ann. His kinsmen muster strong in Westminster. Anthony sits for Oxford, Nathaniel for Lynn; Henry Neville, his sister's son, for Liskeard; Sir Edward Hoby, his cousin, for Rochester; Sir Robert Cecil, also his cousin, for Herts. Benedict Barnham, of Cheapside, whose pretty little daughter, Alice, Bacon's will years hence make his wife, is returned for Yarmouth, having represented Mine-

15. Mem. of Stages of Bills in Parliament, Oct. 1597, S. P. O.; Willis, Not. Parl., iii. 137, 139, 140, 141, 142; D'Ewes, 549; Townshend, 102.

head in the former Parliament. Raleigh sits for Dorset- IV. 15.
shire; and Christopher Yelverton, the Speaker nominate, —
for Northants. Sir Christopher Blount, by command from 1597.
the Earl of Essex, serves for Staffordshire. In this new Oct.
session the member for Ipswich sits, not, as Lord Campbell writes, a burgess prostrate, penitent, under the royal ban, anxious by his silence and servility to efface the recollection of his former speech. No voice is raised so often or so loud as his. Again he speaks for ample grants; again he votes with the reforming squires; again he wages battle of privilege against the Privy Council and the House of Lords. He serves on the Committee of Monopolies. He seconds Sir Francis Hastings' motion for amending the penal laws. But the great contest of this session, the one that makes it memorable in English history, is fought on a bill of his own, framed on the treason of Sir John Smyth, and meant to arrest the decay of tillage, the perishing of the yeomen population from the English soil.

16. Yelverton chosen Speaker, Bacon rises with a Nov.
motion on the State of the Country. State of the Country means to him the relation of the people to the land. The population lives on the soil. Mining is in its cradle, though the iron ordnance of Sussex and Arden has been heard on the Rhine and the Theiss; manufactures are few and scant, though the dyed wools of Tiverton and Dunster have begun to find markets on the Elbe and the Scheldt. To grow corn, to herd cattle, to brew ale and press cider, to shear sheep, to fell and carry wood, are the main occupations of every English shire. The farms are small and

16. Summary Articles of the Bill for Maintenance of Husbandry, Oct. 1597, S. P. O.; D'Ewes, 550-53; Bacon's History of the Reign of Henry VII., Works, vi. 94.

IV. 16. — 1597. Nov.

many; the farmers neither rich nor poor. The breeder of kine, the grower of herbs and wheat, is a yeoman born; not too proud to put hand to plough, not too pinched to keep horse and pike. A link between the noble and the peasant, he is of the very thew and marrow of the state; a man to stand at your shoulder in the day of work or in the day of fight. This sturdy class is dropping the plough for the weaver's shuttle and the tailor's goose; the rage for enclosing woods and commons, for impaling parks, for changing arable land into pasture, for turning holdings for life into tenancies at will, having driven thousands of yeomen from fields and downs which their fathers tilled before the Conquerór came in. Whole districts have been cleared. Where homesteads smoked and harvests once waved, there is now, in many parts, a broad green landscape, peopled by a shepherd and his dog. Where the maypole sprung, and the village green crowed with frolic, are now a sheepwalk or a park of deer.

17. The loss of this martial race, the bowmen of Cressy, the billmen of Boulogne, is a grievous weakness for the Crown; thinning the musters for defence, swelling the materials for mutinies and plots. Nor has this change escaped the Jesuits, or those who live to watch and thwart the Jesuits. A paper of instructions for the Roman Catholic priests and gentry, On the means of recovering England to the Holy See, lays stress on the discontent caused by these enclosures of commons and village greens. Smyth used this argument at Colchester. The Catholic peers have not been slow to increase an evil which their party

17. Discourse of the Providence necessary to be had for the setting up of the Catholic Faith when God shall call the Queen out of this life, Aug. 1600, S. P. O.; Dr. James to Burghley, May 26, 1597, S. P. O.; Stillman to Cecil, Jan. 2, 1600, S. P. O.

treats as a means of future good to the Church. Dr. James, the Dean of Durham, has had to warn Burghley of the consequences of this waste of tillage and population in the two shires of Durham and Northumberland; shires in which two or three Roman Catholic earls own nearly all the soil. The yeomen have embraced the national faith, while most of the old nobility cling to the foreign creed; and a fanatic like Percy or Seymour may often find a legal form of persecution in the pretence of converting his arable land into pasture, or of forming a new park. But if this rage for enclosure is sometimes abused into a means of sectarian spite, it is very far from being confined to the Roman Catholic lords. From Durham to Devon the tenants are chased from their farms that sheep may feed and deer disport. Ire fills and inflames the yeomen's veins. In every park wall they see a menace, in every doe the substitute of a man. They throw down the pales and ensnare the deer. A youth of Stratford-upon-Avon kills his buck in Charlcote Park. A crowd from Enfield scours the preserves of Hatfield Chace. Every spark becomes his own Robin Hood, and cheap haunches of venison smoke on the tables of Cheapside and Paternoster Row. To snare deer is, in all the popular comedies and songs, an heroic protest, not at all a crime. IV. 17. 1597. Nov.

18. Unlike the Jesuits and the Jesuitized peers, whose purpose it may be to thin the fibre and relax the power of England in the field, Bacon seeks to arrest this evil in its germ. Placed by his birth between the nobles and the commons, he shares neither the pride of the superior nor

18. Discourse of Providence necessary to be had for the setting up of the Catholic Faith, Aug. 1600, S. P. O.

IV. 18. — 1597. Nov. the envy of the inferior rank. His genius, too, is singularly free from taint of sect or class. He is wholly English. His glory is to reconcile classes through reform, to strengthen the Crown by justice. Concord, tolerance, loyalty at home; sway, extension, trade abroad; these are the points at which he aims. Not so the Jesuits. They have begun to despair of aid from Spain; after the wreck of the Armada, the sack of Cadiz, they fear lest England may be found too strong for subjection to Rome by either foreign guile or foreign steel. They turn their eyes, therefore, to the men with sore hearts and brawny arms, and, taking note of the discontent among the yeomen, begin to count with confidence on the approaching days of civil war.

19. Bacon's plan for staying the decline of population is to convert this new grass-land into arable, to put these new parks under the plough. A committee of the House of Commons, named to consider this plan, votes in its favour, when the House commissions its author to frame and introduce his bill. He brings in two bills: one for the Increase of Tillage and Husbandry; one for the Increase of People. These bills provide that no more land shall be cleared without special reason and a special licence. They provide that all land turned into pasture since the Queen's accession, no less a period than forty years, shall be taken from the deer and sheep within eighteen months, and restored to the yeoman and the plough.

20. If the Commons pass these bills at once, the Peers receive them with amazement. Ask the Shrewsburys,

19. Summary Articles of the Bill for Maintenance of Husbandry, Oct. 1597, S. P. O.; Breviate of a Bill entitled 'An Act for the Increase of People for the Service and Defence of the Realm,' Dec. 20, 1597, S. P. O.

20. Lords' Jour., ii. 212, 217.

Worcesters, and Northumberlands to dispark their chaces and restore the plough! As well ask Regan for the hundred knights. At once they name a committee of Peers to oppose the two bills; which committee calls to its aid the legal dexterity of Chief Justice Popham and Attorney-General Coke. IV. 20. — 1597. Nov.

21. Though the foreign enemy is at the gate and every true man at his post, Vere in the Low Countries, Raleigh and Montjoy at Plymouth, Essex still sulks and pouts at Wanstead. In vain the Lord Treasurer coaxes. In vain the Earl's friends remonstrate with him on the wickedness of dividing or distracting his country at such a time. In vain they beg him to put aside his wrongs, if he has any wrongs, until the danger of a fresh invasion from Spain, of a fresh massacre in Ireland, shall have passed away. The Queen declares herself hurt more by this desertion than by his failures when at sea. But nothing moves him until Bacon's patriotic bills come up before the Peers, when he hastens to town, and, receiving the nomination of Earl Marshal, takes his seat in the House of Lords. As he had not been named to the hostile committee, he begs that his name may be added to the list. Dec.

For this committee Coke draws up thirty-one legal objections to Bacon's bills. Thus armed to contest his logic and deny his law, the Peers send Black Rod down to request a conference with the Lower House.

22. Aware of these hostile preparations in the other House, the Commons, ere entering into conference, wish 1598. Jan.

21. Burghley to Essex, Nov. 9, 19, 30, 1597, S. P. O.; Remonstrance with Essex, Nov. 16, 1597, S. P. O.; Howard, Montjoy, and Raleigh to the Council, Nov. 9, 1597, S. P. O.; Hunsdon to Essex, Nov. 1597, S. P. O.

22. Lords' Jour., ii. 217; Statutes 39 Elizabethæ, c. 1 and 2.

IV. 22. — 1598. Jan. to have a copy of Coke's thirty-one legal objections to their bills. The Lords refuse to give it. But Bacon will not bend; if the Commons are to meet objections, they must know what these objections are. No copy, no conference! After much debate the Peers consent to give their written answer to the bills when the gentlemen of the Commons shall come up to confer.

Conference now meets, the burgesses employing Bacon as their champion, the barons employing Coke. After day on day of talk, after many proposals and some amendments, Coke gives way, and the worsted Peers accept the Feb. two bills with some slight modifications of title and clause.

The bills did not pass, says Lord Campbell.

They are in the Statute Book, 39 of Elizabeth, 1 and 2.

Feb. 27. 23. No love for enclosures which thin her hamlets of their strength prevents the Queen from receiving most graciously and rewarding most nobly this momentous service to her crown. Bacon knows her well. A law case having been referred to some of the judges and counsel, she inquires his mind on the course she is pursuing. "Madam," says he, "my mind is known: I am against all enclosures, and especially against enclosed justice." Only two weeks after signing her name to his bill for replacing the yeoman on the soil from which he has been driven, she sets her hand to the grant of a third estate. This act of her princely grace confers on Bacon the rectory and church at Cheltenham, together with the chapel at Charlton Kings, in the lovely valley nestling under Cleve and Leckhampton hills; a valley not yet famed for those mineral springs, those shady walks, those pretty spas and gardens, which in the days of

23. Resuscitatio, 40; Patent Rolls, 40 Elizabethæ, Pars iii. 26.

Victoria have transformed Lansdowne and Pittville into suburbs of delight; yet rich in the voluptuous charms of nature, blessed with a prodigal fertility of corn and fruit, of kine and sheep. The rectory, the chapelry, are noble gifts. With them are granted all the land, houses, meadows, pastures, gardens, rents—all services—all views of frankpledge, courts leet, fines, heriots, mortuaries, and reliefs—all tithes of fruit and grain—all profits, all royalties —save only the usual crown rights reserved on crown lands, with a fee to the Archdeacon of Gloucester, and an obligation to support two priests and two deacons—on the payment of a nominal rent of seventy-five pounds a year.

IV. 23.

1598. Feb. 27.

CHAPTER V.

THE IRISH PLOT.

V. 1. — 1598. Sept.

1. UNDER the eyes of Blount, Essex parts more and more from the good cause and from those who love it. His horses are not now seen in Gray's Inn Square. The correspondence with Anthony Bacon drops. The barges which float to Essex Stairs bring other company than the Veres and Raleighs, the Cecils, Nottinghams, and Greys. To sup with bold, bad men; to listen when he ought to strike; to waste his manhood on the frail Southwells and Howards, have become the feverish habits of his life. Sir Charles Danvers, Sir Charles and Sir Jocelyn Percy, Sir William Constable, Captain John Lee—all discontented and disloyal Roman Catholics—are now his household and familiar friends. The young apostate Lord Monteagle sits at his board; though merely, as is guessed from what comes after, in the shameful character of Cecil's tool and spy. But in rear of Danvers and Percy, Constable and Lee, wicked and dangerous as these men are, lurks a crowd of ruffians at whose side they seem respectable. Tresham is seen at Essex House. Catesby sits at the Earl's table. All the slums and jails of London stir with a new life. As a Privy Councillor, Essex can send into the prisons and fetch their inmates to his private house. Light breaks into the cells of Bride-

1. Lodge's Illustrations, ii. 545; Devereux, i. 475; Birch's Memoirs of Queen Elizabeth, ii. 70; Vaughan to Cecil, Jan. 29, 1598, S. P. O.; Vaughan to Hesketh, Jan. 29, 1598, S. P. O.; Council Reg., Mar. 16, 1600.

well and the Fleet. Sir John Smyth is liberated on bond: Essex himself coming forward as the traitor's friend and surety. Father Thomas Wright, a Jesuit agent, deep in the secrets, high in the confidence, of the Courts of Rome and Madrid, who has been for many months in trouble, at first confined in Dean Goodman's house, but of late transferred to a common jail, steals after dusk from the Bridewell to Essex House for secret interviews with the Earl and Blount. Nor is the bustle limited to the London taverns and the London jails. The cloughs of Lancashire, the ridges and heaths of Wales, send up to London the most restless of their recusants and priests. Vaughan, the Bishop of Chester, notes a mysterious change in that Papist district, and warns the head of the Government that he must look for sudden storms. The recusants of his diocese, he says, refuse to pay their usual fines, defy the clergy and magistrates, and talk of the support which they expect from new and powerful friends. When pressed too hard, instead of bowing to the laws as they have been wont to do, they jump to horse and spur away. V. 1. — 1598. Sept.

2. The gang of Papist conspirators who now begin to gather into force round the Earl of Essex, propose to themselves not only to escape from fine and imprisonment, but to dethrone the Queen, to restore the faggot to Smithfield and the mass to St. Paul's. They hope to effect this change by a military surprise and a secret understanding with the Pope. Essex tells the Jesuit Father Wright, in their midnight meetings, that he could become a Roman Catholic, were it not that the Roman Catholics have always been against him. Wright assures

2. Examination of Thomas Wright, July 24, 1600, S. P. O.; Abstract of Evidence against the Earl of Essex [July 22, 1600], S. P. O.

V. 2. — 1598. Sept. him that the Roman Catholics will now be his best friends. The plotters lay down their plans. To surprise the Queen they must have the command of an armed force; Raleigh must be killed; a military faction formed, an army raised, and the places of trust secured to the principal leaders in the plot.

Oct. 3. As the Queen will trust Essex with no more regiments for Rouen, no more ships for Spain, he begs for a command against the Irish kernes. Ireland is ablaze. That Hugh O'Neile, son of the bastard of Dundalk, who owes to the policy and generosity of Queen Elizabeth his life, his education, his nobility, even his ascendency in his sept, has turned on his benefactress: laying down his earldom of Tyrone; assuming the sovereign and rebellious style of The O'Neile; raising the unkempt, unclothed Ulster savages; and filling the valleys from Inishowen to Monaghan and Down with the tumult of war. Fires burn on the hill-tops. Churches are profaned, innocent homesteads razed. The Galloglass, mounted on his brisk marron, pricks through the country, spearing his enemies, driving off their kine. A horde of ferocious kernes, shaggy and ill-fed, their arms a skean and pike, their dress a blanket or a shirt, plunge into the houses of English gentlemen, wreaking such woe and shame on the Protestant settlers as pen of man refuses to describe. An English force keeps front to the rebellious horde, but the fire darts out in a hundred places. Connaught kindles into insurrection; Munster defies the Saxon; Ulster presses on the Pale; Spanish ships stand off the coast; Spanish regiments are forming at Ghent and at the Groyne. A day may bring the Basques, the

3. Irish Correspondence, 1595-98, S. P. O.; Annals of the Four Masters, 591-645; Council Reg., Oct. 29, 1595, July 19, 1598.

Walloons, and Pandours to Kinsale. Drogheda is in danger. Dublin itself is not safe. V. 3. 1598. Oct.

4. Shakespeare gives the English passion voice:

> "Now for our Irish wars!
> We must supplant these rough, rug-headed kernes,
> Which live like venom where no venom else,
> But only they, hath privilege to live!"

So cries the English king in that new play of Richard the Second, which is now drawing crowds of citizens and courtiers to the Globe. Troops are being raised and fines imposed for this new war; the recusants who will not fight for their country against their creed—such men as Tresham, Talbot, Rookwood, and Throckmorton—being mulcted in heavy rates. The force is of imposing strength. Two thousand veterans come home from the camp of Vere, their ranks filled up by a levy of youngsters from the loom and plough. In all, some twenty thousand horse and foot are on the march.

Who shall conduct them to the coasts of Down, the passes of the Foyle?

5. Essex asserts his claim. Those who would see the fire of the insurrection stamped under foot propose to send out Raleigh, Sydney, or Montjoy. But events at Court disturb the preparations against O'Neile. The great Lord Burghley dies, leaving vacant the Treasury and the Court of Wards. Essex, as usual, wants them both; and Cecil,

4. Shakespeare's Richard II., editions of 1597 and 1598; Camden, Ann. Eliz., 1598; Chamberlain to Carleton, May 4, 17, 30, 1598, S. P. O.; Council Reg., July 19, Dec. 22, 1598.

5. Chamberlain to Carleton, May 30, Aug. 30, Nov. 8, 1598, S. P. O.; Lytton to Carleton, Aug. 29, 1598, S. P. O.; Mathews to Carleton, Sept. 15, 1598, S. P. O.

V. 5. — 1598. Oct. who thinks that offices held by his father ought to descend upon himself, becomes, as he has been before, a secret and powerful advocate for his rival's nomination to a distant post. For a time the Queen will hear of no such a thing; yet, as Raleigh will not go, and Vere is in the field, Essex, with an underground and treacherous aid from Cecil, gains his suit.

6. Cecil's beautiful young niece still wears her widow's weeds: a prize with which he may either bribe an enemy or fix a friend. She has rejected Pembroke as well as Bacon. To the surprise of her gay and youthful suitors, she allows her uncle Cecil to buy with her hand the unscrupulous arts and venomous tongue of Coke. A first wife, who brought him love and money, not yet cold in her grave, the grisly old bear of an Attorney-General marries this dainty and wilful dame. How she is persuaded to such a match no soul can tell. Old, grim, penurious, every way opposite to herself and to everything that she seems to like, he has neither the wit that wins nor the fame that fills a lady's ear. Wags whisper that she hopes to be able to break his heart. He, too, is rich. She has got one fortune through Sir William Hatton, why not a second fortune through Sir Edward Coke? Her kinsman's motives are, no one doubts, coarse. He has need for such an instrument as Coke: close, supple, learned, grinding, cold to his dependants, cringing to his superiors. Nor is he disappointed in the match. On Coke's marriage into the Cecil house, though the wife whom he vows to love rejects his name and destroys his peace, he becomes to Cecil and to Cecil's faction a brutal and obsequious slave.

6. Autobiographical Notes of Coke in Harl. MSS. 6687, transcribed by John Bruce for the Collectanea Top. et Gen., vi. 108.

V. 7.

1599. Mar. 8.

7. At a private meeting of the Privy Council held at Essex House, only Cecil, Fortescue, and Buckhurst present, a commission for the lord-lieutenancy is drawn. Essex has had no speech with Bacon for eighteen months. Their ways now lie apart. In the conferences on his bills for restoring tillage and increasing population they stood in hostile ranks; yet, on the eve of his fatal voyage to Ireland, Essex rides once more, and for the last time now, to Gray's Inn Square. Had he come to seek counsel, no man could have given him safer. More than any one alive —more than Chichester or Montjoy—Bacon sees through the Irish question. Sure that Ulster will not be calmed by the sword and the rope, that no dash from Cork to Coleraine will make a savage sept, ruled by a Brehon law, prefer husbandry to theft, his plan is to clear the forests, to drain the bogs, to lay out roads, to build ports and havens, to plant new towns. His hope lies in the plough, not in the sword.

"We must supplant these rough, rug-headed kernes."

He would have the great officers of the Queen's government and army live in the country, build in it their houses, as Sir Arthur Chichester, whom Cecil has sent from Flanders to Dublin, afterwards builds his house on the Lough of Belfast. But a man like the Earl of Essex, living only in the air of courts and the light of camps, has neither temper, hardihood, nor patience for such a work. Bacon tells him to give up an enterprise in which he can neither serve his country nor secure himself from shame and loss. Essex has not come to learn. With soul cor-

7. Council Reg., Mar. 8, 1599; Bacon's Remains, 89, 48; Certain Considerations touching the Plantation in Ireland, 1606; Bacon's Apologie, 23; Essex to Cecil, Mar. 29, 1599, Add. MSS. 4160.

V. 7. — 1599. Mar. rupted by disloyalty, he turns his back on the one honest voice which even yet might have saved his fortune and his fame from wreck.

8. Father Wright consults Cresswell and Parsons, the experienced chiefs of the English conspiracy in Madrid and Rome, on these bold and perilous plots. The Jesuit Fathers, doubtful if it be not sin and folly to shed Catholic blood to raise Essex to a throne, urge him through Wright to adopt the Infanta's claim in preference to his own; a course to which Essex, when pressed by Wright, most sternly demurs, as becomes a descendant of John of Gaunt. Philip and Clement, less deep in guile than the Jesuits, agree to recognise, and if need be to aid, a rebellion of the Earl and his partizans against the Queen, on this understanding: that Essex, when king, shall become reconciled to the Church, shall leave Ireland to be ruled by O'Neile as viceroy, shall abandon the Protestant Netherlanders, shall yield up Raleigh's conquests and plantations in America, and shall recognise the rights of Spain to an exclusive possession of both the Indies. It is understood that the Irish army is to effect this plot, of which all the details are to be settled with O'Neile.

April. 9. Twenty thousand men march to the coast and cross the sea. Lee, Danvers, Percy have all commands in this force. Constable, broken for bad conduct, is restored by Essex to his rank. Father Wright begs hard to be taken with them; but, although a Privy Councillor may fetch a prisoner to his house, a lord-lieutenant of Ireland has no

8. Abstract of the Evidence against Essex [July 22, 1600], S. P. O.; Examination of Wright, July 24, 1600, S. P. O.

9. Council Reg., Mar. 11, April 2, 1599; Essex to Cecil, Add. MSS. 4160; Abstract of Evidence against Essex, July 22, 1600, S. P. O.

power to empty the London jails. All that he can do for Wright is to get him removed from Bridewell to the Clink. V. 9. — 1599. April.

From the hour of his quitting Whitehall Essex assumes the powers of a sovereign prince. On his way to the coast he sends back Lord Montjoy. Montjoy is his friend; the yet nearer friend of his sister Lady Rich. For love of her, Montjoy has joined in opposition to Raleigh on the right hand, to Cecil on the left; but neither friendship for Essex, nor love for Lady Rich, would draw a man so firm in faith, so loyal to the Crown, to league with a gang of Papists against the Queen. Essex sends him back.

From Drayton Bassett, where Blount and Lady Leicester live, Essex has the effrontery to write for leave to appoint Blount his Marshal of the Camp. A marshal of the camp is the second in command, the first in activity and influence; to put such a fellow as Blount in such a place, the Queen indignantly demurs. There is Sir Henry Brounker, an officer of talent and experience: let him be our marshal. Essex pouts and sulks: "If she grant me not this favour," he writes to Cecil, "I am maimed of my right arm." Cecil takes care he shall have his way.

10. When he lands in Dublin he casts to the four winds his commission and instructions. One of his first and most insolent acts is to appoint the young Earl of Southampton his Master of the Horse. This friend and patron of Shakespeare is not a Papist, not an ally of Blount. He is a patriot, though not a wise one; a Protestant, though not a zealous one. Heady, amorous, quarrelsome, May.

10. Cecil to Southampton, Sept. 3, 1598, S. P. O.; Council to Essex, June 10, 1599, S. P. O.; Elizabeth to Essex, July 19, 1599, S. P. O.; Devereux, i. 474.

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V. 10. — 1599. May. swift to go right or wrong as his passions tempt him, he has vexed and grieved the Queen by falling madly and licentiously in love with Mistress Vernon, one of her beautiful maids of honour, and filling her court with the fame of his amours. In this offence against modesty he has been abetted by the young lady's first cousin Lord Essex, himself too frail as regards the passions, and too familiar with his mother's vices and his sister's infidelities to feel the shame brought on his kin by a scandal which after all may end in marriage. Sent away from London, Southampton had returned in secret, and had married the lady without her sovereign's knowledge. For these offences he had been ordered into free custody. Breaking his gage of honour, he has stolen away to Dublin, where the Earl, in place of sending back the Queen's fugitive, gives him the welcome which a prince at war might give to a deserting general from the hostile camp.

Aug. 11. Every one knows the issue of this Irish campaign: a lost summer, a corrupted army, a traitorous truce. Instead of smiting O'Neile, Lee arranges an interview on the Lagan, at which the English and Irish rebels discuss their terms and enter into league. Blount hails his fellows in the Celtic camp. Like the Irish traitors, he abhors the Protestant Queen, not only as the most powerful enemy of their church, but as an insolent sovereign who has spared their lives. They propose to carry out the Papal scheme, giving England to Essex, Ireland to O'Neile. The Desmonds and Fitzmaurices, not less than the O'Donnels and O'Kanes, are privy to a league in which the Celts drive a bargain with their allies; for while the Roman Catholics

11. Annals of the Four Masters, 646-654; Blount's Confessions, State Trials, i. 1415.

are to get the whole of Ireland to themselves, they claim immunities in England equal to those of the rival creed. They are to enjoy on the Thames, not alone freedom of conscience, but street processions of the host and public performance of the mass. V. 11. 1599. Aug.

12. Essex breaks up his camp at Drogheda; hurries to Dublin, Blount at his side, Danvers, Constable, Lee at his heels; crosses the sea, leaving Ireland without an army or a government; the English settlers aghast at this desertion, the Ulster rebels elate with joy. At Milford Haven they receive intelligence which breaks down all their plans. The country rings with arms. While they have been conspiring with O'Neile, the Privy Council, under guise of preparing to repel an expected landing of the Spaniards, have drawn out the musters, set the train-bands in motion, filled the city with chosen troops. Wags have mocked and jested over this invisible Armada; but Essex lands at Milford Haven to find his road to London barred by a truly formidable force. Nottingham covers the capital with a camp of six thousand horse and foot. Twenty-five thousand men answer to the roll in Kent and Essex. Under such a change of affairs, even Blount dissuades a march on London. The road is long; halberdiers cannot fly, like Imogen, on the wings of love; and the very maddest of the plotters knows that the Protestant gentlemen of Gloucester, Wilts, and Berks will not stare idly on while gangs of mutinous troopers, led by Papist captains, march past to dethrone their Queen. With the whole army of Drogheda at their backs, they could not Sept.

12. Annals of the Four Masters, 655; Blount's Confessions, State Trials, i. 1415; Bacon's Notes to Camden, Works, vi. 359; Memorandum of Precautionary Measures, Aug. 1599, S. P. O.; List of Army in Kent and Essex, Aug. 1599, S. P. O.

V. 12. — 1599. force their way through six or eight warlike shires. Better, says Blount, prick on alone. A chance remains that by dash and swiftness Essex may surprise the Queen, put his friends in power, and return to Dublin to mature his plans.

Sept. 28. To horse, to horse! No pause in the ride till he flings himself, splashed and faint, at his sovereign's feet.

Oct. 13. Lee, Danvers, Constable, Davis, spur into London. News-writers stare at the swarms of captains and commanders from the Irish camp which suddenly hustle through the taverns of Paternoster Row and fill the pit of the theatre, where Rutland and Southampton are daily seen, and where Shakespeare's company, in the great play of Richard II., have for more than a year been feeding the public eye with pictures of the deposition of kings. But the plotters have met their mates. The Earl is in charge. From the presence of his Queen he has passed into custody; when a solemn act of the Privy Council having declared him unfit to discharge the duties of Earl Marshal, Privy Councillor, and Master of the Ordnance, a writ from the Star-Chamber cites him to answer for his suspicious dealings with O'Neile. This citation he disobeys. After a brief confinement in the house of Lord Keeper Egerton, he is placed in permanent free custody in his own great mansion in the Strand.

1600. Feb.

14. The Council hastens to repair the evil done in Dublin. Montjoy goes over as Lord Deputy. Stern letters

13. Rowland White, Oct. 3, 11, 1599, in Sydney Papers, ii. 130, 132; Devereux' Lives of the Earls of Essex, ii. 76-117; Speeches in the Star Chamber on Essex's Expedition to Ireland, Nov. 1599, S. P. O.; Essex to Eliz., Feb. 11, 22, 1600, S. P. O.

14. Wood's Confessions, Jan. 20, 1599-1600, S. P. O.; Council Reg., Feb. 2, 1600.

recal the Lords Justices and magistrates of Ireland to their duty. Threads of the great conspiracy soon appear. Among the witnesses against Essex, Thomas Wood, a nephew of Lord Fitzmaurice, makes this declaration: V. 14. 1600. Feb.

He saith that, happening to be with the Lord Fitzmaurice, Baron of Lixnaw, at his house of Lixnaw, between Michaelmas and Allhallowtide, the said Baron walking abroad with the said Wood asked him what force the Earl of Essex was of in England. He answered he could not tell, but said he was well beloved of the commonalty. Then said the Baron that the Earl was gone for England, and had discharged many of the companies of Ireland; and that if her Majesty were dead he should be King of England and O'Neile to be Viceroy of Ireland; and whensoever he should have occasion and could send for them, he would send him eight thousand men out of Ireland. The said Wood asked the Baron how he knew that, and he answered that the Earl of Desmond sent him word so.

THOMAS WOOD.

This statement, wholly in the handwriting of Wood, remains in the State Paper Office.

Below it Cecil has written:

This confession and declaration was made before us whose names are underwritten this 20th of January, 1599 (1600); and after being charged of us severally and jointly to declare nothing but truth upon his soul and conscience, as he would answer it at the latter day, he hath both protested this to be true that he hath written, and that he is a Christian and would not say an untruth in this kind for

V. 14. — 1600. Feb. all the good in the world; and for proof thereof hath again set his hand in our presence.

THOMAS WOOD.

T. BUCKHURST.
NOTTINGHAM.
ROBERT CECIL.
J. FORTESCUE.

Mar. 15. The world parts suddenly from the fallen man. Those who know or suspect the depth of his guilt shun him as one who is lost past hope; those who see no more than his disgrace fall off from a losing cause. Cecil spurns his advances; when the old Countess of Leicester begs of him to save her son, Cecil answers her that his fate is with a higher power. Babington, Bishop of Worcester, glances at him cautiously in a Court sermon; but when sent for by the angry Queen he denies that he pointed to the Earl. Save his cousin Lady Scrope, and his sisters Lady Rich and the Countess of Northumberland, not one of his confederates or companions dares to speak for him a word. Blount slinks with his wife to Drayton Bassett. Southampton goes abroad to fight Lord Gray, breaking his parole for the second time; an offence for which the council, though loth to strike the amiable and misled young gentleman, strips him of his company of horse. Lee makes no sign. Danvers and Constable hide their heads. These Bobadils of Drogheda and Milford skulk about the kens of Newgate Street and Carter Lane; and only a group of women, kin to the Queen, who gloom about the court in black, find courage for even tears and weeds.

15. Chamberlain to Carleton, Feb. 22, Mar. 5, 1600, S. P. O.; Cecil to Countess of Leicester, Mar. 21, 1600, S. P. O.; Sydney Papers, ii. 132, 213; Council Reg., Aug. 8, 17, 1600.

Yea; there is one. In this dead silence of despair, one voice alone dares to breath the Earl's name, to whisper in the royal ear excuses for his fault, to plead with that leonine heart for the mercy which becomes a monarch better than his crown. V. 15. — 1600. Mar.

16. Any man save Francis Bacon would have left the Earl to his fate. The connexion has been to him waste of character and waste of time. The hope of making Essex chief of the national party has come to nought and their intercourse has ceased. To Bacon, and to all his kin, the Earl has brought anxiety, grief, and shame. The loss of rank and power is the least part of his loss; that loving and beloved brother, to whom the Essays are so tenderly inscribed, has now sunk past hope, the victim of his companion's riot and evil ways. Despite the warnings of the Saint of God, though Anthony and Essex had both promised her to amend their ways, they have run from bad to worse, until one is about to sink into political crime, the other into a premature grave. April.

17. The prospects, the affections of Bacon and Essex now lie apart, distant as the temperate and the torrid zones. For two whole years they have met but once; to part less near in opinions than before. All that Bacon foresaw from the Irish expedition has come to pass. The voyage has failed. More than the visible failure Bacon does not know; nothing of the interviews with Wright; nothing of the understanding with the Jesuits; nothing of the Pope's approval; nothing of the compact with O'Neile. Cecil keeps these formidable secrets close, sharing them, if with June.

16. Lady Bacon to Anthony Bacon, various dates, in Lambeth MSS. 649, 650; Devereux, i. 406.

17. Council to Yelverton, Coke, Fleming, and Bacon, Nov. 9, 1600, S. P. O.; Council Reg., Feb. 2, 28, July 6, Sept. 29, Dec. 24, 1600.

V. 17. — 1600. June. any one, only with his creature and dependant Coke. In other business of the Crown, in admiralty affairs, revenue affairs, in debts, in grants, and fines, above all in arbitrations, Bacon is now constantly employed by the Crown. Instructions from the Privy Council run to Yelverton, Coke, Fleming, and Bacon. In cases of dispute, as in those of Blundel, of Perrim, of Trachey, he is often employed alone. But in taking the confessions, in confronting the spies and prisoners of the Irish plot, he has no share. Yet, knowing no more of it than all men know, why should he risk his future to save a man who has covered him with misfortunes, who has sought his advice to cast it in his teeth?

18. Bacon is not the man to ask. Seeing the Earl crushed without being charged, supposing him free from crime, he carries his plea of clemency to the throne. Often in the Queen's closet on public duty, he seizes every opening for this plea. Never had such an offender such an advocate. Gaily, gravely, in speech, in song, he besets the royal ear. He kneels to her Majesty at Nonesuch; he coaxes her at Twickenham Park. When she ferries to his lodge, he presents her with a sonnet on mercy; when she calls him to the palace, he reads to her letters purporting to come from the penitent Earl. What Babington dares not hint from the pulpit, Bacon dares to urge in the private chamber. Wit, eloquence, persuasion of the rarest power, he lavishes on this ungrateful cause. At times the Queen seems shaken in her mood; but she knows her kinsman better than his advocate knows him. Spain still threatens a descent; and Ireland rocks with the tumult of civil war.

18. Abstract of Evidence against Essex, July 22, 1600, S. P. O.; Shakespeare's Richard II., editions of 1598 and 1608.

Those scenes of Shakespeare's play disturb her dreams. V. 18.
This play has had a long and splendid run, not less from its glorious agony of dramatic passion than from the open countenance lent to it by the Earl, who, before his voyage, was a constant auditor at the Globe, and by his noble companions Rutland and Southampton. The great parliamentary scene, the deposition of Richard, not in the printed book, was probably not in the early play; yet the representation of a royal murder and a successful usurpation on the public stage is an event to be applied by the groundlings in a pernicious and disloyal sense. Tongues whisper to the Queen that this play is part of a great plot, to teach her subjects how to murder kings. They tell her she is Richard; Essex, Bolingbroke. These warnings sink into her soul. When Lambard, Keeper of the Records, waits upon her at the palace, she exclaims to him, "I am Richard, know you not that?"

1600. June.

19. Nor does the play by Shakespeare stand alone. One of the Earl's friends publishes on this story of the deposition of Richard a singular and mendacious tract, which, under ancient names and dates, gives a false and disloyal account of things and persons in his own age: the childless sovereign; the association of defence; the heavy burthen of taxation; the levy of double subsidies; the prosecution of an Irish war, ending in general discontent; the outbreak of blood; the solemn deposition and final murder of the prince. The book has no name on the title-page—that of John Hayward signs the dedication. Bolingbroke is made the hero of the tale; and that even the grossly

19. Hayward's First Part of the Life of Henry IV., 1599; Papers concerning the History of Henry IV., the Letter Apologetical written by Dr. Hayward, 1599, S. P. O.

V. 19. — 1600. June. stupid may not miss its meaning, this lump of sedition is dedicated to the Earl. In one place it openly affirms the existence of a title to the throne superior to that of the Queen!

20. This proves too much for Elizabeth. Packing the scribe in jail, she sends for Bacon to draw up articles against him.

Had she sent for Coke!

To Bacon's tenderness of human life the poor scribbler, Hayward, owes his subsequent length of days and authorship of other books. "There is treason in it," says the Queen; as indeed there is. "Treason, your Grace?" replies Bacon; "not treason, Madam, but felony, much felony." "Ha!" gasps her Highness, willing to hang a rogue for one 'crime' as for another: "Felony—where?" "Where, Madam? Everywhere: the whole book is a theft from Cornelius Tacitus." A light of laughter breaks the cloud. "But," says her darkening Highness, "Hayward is a fool; some one else has writ the book; make him confess it; put him to the rack."

"Nay, Madam," pleads the advocate of mercy; "rack not his body—rack his style. Give him paper and pens, with help of books; bid him carry on his tale. By comparing the two parts, I will tell you if he be the true man."

July. 21. Aware how strong are Bacon's views on political crime, some of the conspirators, conscious of their own guilty thoughts, dread lest in these frequent passages with the Queen he may be taking part against their lord. Fear

20. Bacon's Apologie, 36; Bacon's Remains, 42; Matters wherewith Dr. Hayward was charged, and Dr. Hayward's Confession, 1599, S. P. O.

21. Bacon's Apologie, 47; Birch, 459; Montagu, xii. 168.

gives suspicion wing. Among themselves they whisper that in the royal presence he has pronounced the offence treason. The true offence *is* treason; but Bacon has not called it such, for he has no knowledge of its darker facts. He therefore meets and spurns the misrepresentation of his words. In a note to Lord Henry Howard, one of the Roman Catholic friends of Essex, he writes with honest heat: "I thank God my wit serveth me not to deliver any opinion to the Queen which my stomach serveth me not to maintain; one and the same conscience guiding and fortifying me. The untruth of this fable God and my sovereign can witness, and there I leave it. . . . For my Lord of Essex, I am not servile to him, having regard to my superior duty. I have been much bound unto him; on the other side, I have spent more time and more thoughts about his welldoing than ever I did about mine own. I pray God you his friends amongst you be in the right." V. 21. — 1600. July.

22. Affairs grow brighter for the Earl. Good news come in from Dublin and the Hague; news that Desmond has been taken, and Wexford pacified by Montjoy; that Vere and Nassau have fought a battle and gained a victory on Nieuport sands. The Queen's heart opens. When the Earl now begs for freedom, she more than ever inclines to hear his prayer. Cecil gets alarmed; putting Wright and Hayward under stern examination, he frames from their confessions an indictment against Essex, which, if half of it were proved, would assuredly send him to the block. But an advocate, stronger than Cecil, stands beside the Queen; who, in season, as well as out of season, in the

22. Essex to Eliz., June 21, 1600, S. P. O.; Chamberlain to Carleton, July 1, 26, 1600, S. P. O.; Confession of D. Hayward, July 11, 1600, S. P. O.; Abstract of Evidence against Essex, July 22, 1600; Examination of Thomas Wright, July 24, 1600, S. P. O.; Bacon's Apologie, 41, 57.

V. 22. — 1600. July.

midst of a dispute on law, in the turn of an anecdote, in a casual laugh or sigh, searches and finds a way to her heart. One day she asks him about his brother's gout. Anthony's gout is sometimes better, sometimes worse. "I tell you how it is, Bacon," says her sagacious Majesty; "these physicians give you the same physic to draw and to cure; so they first do you good, and then do you harm." "Good God, madam!" cries Bacon, "how wisely you speak of physic to the body! consider of physic to the mind. In the case of my Lord of Essex, your princely word is, that you mean to reform his mind, not to ruin his fortune. Have you not drawn the humour? Is it not time to apply the cure?" Another day she tells him the Earl has written to her most dutifully, that she felt moved by his protestations; but that, when she came to the end, it was all to procure from her a patent of sweet wines! "How your Majesty construes!" says Bacon; "as if duty and desire could not stand together! Iron clings to the loadstone from its nature. A vine creeps to the pole that it may twine." "Speak to your business," says the Queen; "speak for yourself: for the Earl not a word."

Yet drop by drop the daily oil softens her heart. At length the Earl is set at large; though as one to whom much has been pardoned; one who shall never again command armies, or even approach the Court. Elizabeth will see her kinsman's face no more. Shall he go back to the Irish camp? "When I send Essex back into Ireland," says the Queen, "I will marry you—you, Mr. Bacon. Claim it of me."

CHAPTER VI.

THE STREET FIGHT.

VI. 1. 1600. Oct.

1. When free to plot, Essex, in the secresy of his own house, and in open breach of loyalty and honour, renews the intrigue with Rome. Blount returns from Drayton Bassett to crowd Barns Elms and Essex House, the Earl's head-quarters in and near London, with the most desperate of his Papist gangs. Mad at their loss of time, they propose to do without an army what they failed to do with one. Enough, they say, to raise a troop, to kill Raleigh and Nottingham, to seize the Queen by force, and summon a parliament of their own. Essex shall be swept to the throne by a street fight and an act of assassination. Yet, if they still pretend to believe him more popular than Elizabeth, they dare not trust his chances and their own safety to an English crowd. Seeking to gain strength elsewhere, they open a deceptive intercourse with James, incite O'Neile to resist by promises of speedy help, raise a band of their sturdy partisans in Wales. One Englishman holding office, Sheriff Smith of London, probably a Roman Catholic, alone listens to their schemes. The Earls of Rutland and Southampton sit at the board; Rutland bound like Southampton by a pair of bright eyes to the Earl, being deeply in love with Elizabeth Sydney, daughter of Lady Essex by her first husband Sir Philip; neither of them sharing his insane ambition

1. Nottingham to Montjoy, Goodman, ii. 14; Jardine's Criminal Trials, i. 342; Chamberlain to Carleton, Oct. 10, 1600, S. P. O.

VI. 1. — 1600. Oct.

or suspecting his murderous thoughts. The partners of his secret soul are those Papists, old and new, who have been and will be the terror and shame of England for twenty years. Blount and Danvers, Davis, Percy, and Monteagle are not the worst. From dens like the Hart's Horn and the Shipwreck Tavern, haunts of the vilest refuse of a great city, the spawn of hells and stews, the vomit of Italian cloisters and Belgian camps, Blount, long familiar with the agents of disorder, unkennels, in the Earl's name, a pack of needy ruffians eager for any service which seems to promise pay to their greed or licence to their lust.

2. These miscreants are wholly Papists. Four of the five monsters who, some years later, dig the mine in Vineyard House, Robert Catesby, John Wright, Christopher Wright, and Thomas Winter, answer to this call of Blount; while the fifth, Thomas Percy, is with them in the persons of his more reputable kinsmen Jocelyn and Charles. Nearly all their most guilty associates of the Powder Plot, Throckmorton, Lyttleton, and Grant, join with them; as also Ogle, Baynham, Whitelocke, and Downhall, the dregs and waste of a dozen Roman Catholic plots.

3. They mean to kill the Queen—a palace murder if she resist them, a Pomfret murder if she yield. Raleigh and Cecil are to share the fate of Bushy and Green. Is Essex more squeamish than Bolingbroke? Is Blount less bold than Piers of Exton? Though they advance towards their goal under cover of a design to free the Queen from enemies who hold her in thrall, the confession of Blount

2. List of Prisoners in the Compter and the Poultry, Feb. 8, 1601, S. P. O.; Lodge, ii. 545.

3. State Trials, i. 1415.

on the scaffold removes all doubt of a deliberate plan to assassinate her if she stand in their way. "I know and must confess," said the impenitent ruffian, "if we had failed in our end, we should even have drawn blood from herself." Nor is this design of dethronement and assassination a last resource of men at bay. The plan was formed two years before. It lay at the door of all Father Wright's suggestions, inspired the publication of Hayward's tract, controlled the understanding with O'Neile, gave colour to the correspondence with King James. VI. 3. 1600. Oct.

4. At the moment when this faction was struggling to secure the Irish command, Bacon had been engaged with Coke and others in probing a mysterious crime. A Scot of many names and characters—Thomas Anderson, Thomas Alderson, Valentine Thomas, a servant, a soldier, a gentleman—giving no good account of his journey to London, had been brought into the Tower. Bread and water, Bacon and Coke, had brought him to his knees. He confessed that he had been employed by the King of Scots to kill the Lord Treasurer Burghley and her Majesty the Queen. Here is the confession, solemnly attested:

Collection of the Principal Points in Valentine Thomas's Confession concerning the Practice against Her Majesty's Person. Subscribed by himself the 20th. of December, 1598.

Valentine Thomas, otherwise called Thomas Alderson or Anderson, confesseth that his access to the King of Scotts was principally procured by one John Stewart of the

4. Scottish Papers of Elizabeth, lxii. 28, 46, 50, 52, 54; lxiii. 13, 15, 22, 29, 31, 45.

VI. 4. — 1600.

Buttery, who keepeth the King's door, and that he repaired to the King at sundry times and in sundry places; and amongst divers speeches of many things concerning the state of England and her Majesty's person, the King fell one day into some speech of the Lord Treasurer, whom he wished Valentine Thomas to kill, as having ever been his enemy about the Queen, which fact when Valentine undertook to execute, after some speeches how it might best be done, the King further replied, "Nay, I must have you do another thing for me, and all is one; for it is all but blood. You shall take an occasion to deliver a petition to the Queen in manner as you shall think good, and so may you come near to stab her." And Valentine told the King that it was a dangerous piece of work, but he would do it, so the King would reward him thereafter, and the King said, "You shall have enough." And after this, Valentine took his leave of the King, and said he was to go to Glasgow for a time to his kinsman's wedding: and the King said "Go, as you say, to Glasgow, and then come again, when you hear that Sorleboy is come." And so he left the King, and the Laird Arkinglasse came to the King.

[Signed] VALENTYNE THOMAS.

[Attested by] JOHN PEYTON.
EDW. COKE.
THO. FLEMYNG.
FR. BACON.
WM. WAAD.

The Government has kept this story secret. The Queen, indeed, professes to believe it false, and she is wise to do so. James stands beyond her reach; her courts cannot punish him; after her death he must be King.

To prove him an assassin is to make of him, and of all who support his claims, the most ruthless of her foes. James, knowing of Thomas's arrest, is anxious to be spared the disgrace of a public trial; yet the knowledge that such a crime has been contemplated helps to nerve the hand of every one who loves his Queen—the visible embodiment of English virtue and English strength. VI. 4. 1600.

5. If only the Papists share the heart of Blount, still, where he fancies that either private love or lust of spoil will tempt a man to arm, he throws his line. From Lancashire, from Norfolk, and from Devon, friends of the conspirators prick to town. Among them comes Sir Ferdinando Gorges, governor of Plymouth, a brave and loyal gentleman akin to Sir Walter Raleigh, who, seeing him drawn into a dangerous plot, sends to warn him. Blount, now ready for the blow that is to make him father-in-law to a king, persuades Gorges to invite the Captain of the Queen's Guard to come and speak with him at Essex House. Raleigh jumps into his barge. At Essex-stairs the plotters beg him to land; but finding the fox too wise to trust his life in such hands, Blount, throwing off the mask, sends an armed boat in chase of him, which, failing to catch its prey, fires four pieces into his barge. 1601. Jan.

6. The blood of the conspirators mounts with this attempt at assassination. On Sunday they will rise: the pretext to be spread through the streets and lanes being that Raleigh has formed a plot to murder the Earl. The parts in the play are all given out. While Feb. 6.

5. Declaration of the Practice of the Earl of Essex, 1601; Gorges' Answer to certain Imputations, quoted in Cayley, i. 337; State Trials, i. 1424.

6. Jardine's Criminal Trials, i. 320.

VI. 6. — 1601. Feb. Smith secures the city in their rear, a force will march from Essex House and seize the avenues of Whitehall. Blount is to keep the palace-gates, Davis the hall, Danvers the entrance of the presence-chamber, while Essex himself, pushing into the royal closet, is to force the aged Queen, sword in hand, to yield.

7. To fan the courage of their crew, and prepare the citizens for news of a royal deposition, the chiefs of the insurrection think good to revive for a night their favourite play. They send for Augustine Phillips, manager of the Blackfriars theatre, to Essex House. Monteagle, Percy, and two or three more—among them Cuffe and Meyrick, gentlemen whose names and faces he does not recognise—receive him; and Lord Monteagle, speaking for the rest, tells him they want to have played the next day Shakespeare's deposition of Richard the Second. Phillips objects that the play is stale, that a new one is running, and that the company will lose money by a change. Monteagle meets his objections. The theatre shall not lose; a host of gentlemen from Essex House will fill the galleries; if there is fear of loss, here are forty shillings to make it up.

Feb. 7. Phillips takes the money; and King Richard is duly deposed for them and put to death.

Feb. 8. 8. Next morning, after the play, when the conspirators are about to rise, Egerton, Popham, and Knollys knock at the gates of Essex House. This visit of the Lord Keeper, the Lord Chief Justice, and the Queen's Chamberlain, disconcerts their plans. They meant to

7. Examination of Augustine Phillips, Feb. 18, 1601, S. P. O. This examination has been printed by Mr. Collier, but with an error in the names.

8. Council Reg., Feb. 14, 1601; State Trials, i. 1333-1409.

begin by a street tumult and a march on Whitehall, under cover of a design to punish Raleigh and restore the Queen to her freedom of choice. The arrival of these great officers of State compels them either to lay down their arms and submit to the law, or to rush into the city, raising the cry of war against the Queen. Mad as the action seems, they choose to strike. Putting the Ministers under guard, the Papist rabble, Blount, Catesby, Tresham, Danvers, Davis, Wright, Grant, Lyttleton, Baynham, and their fellows, tear past Temple-bar, yelling to the astonished citizens to arm and follow the young Earl. VI. 8. 1601. Feb. 8.

9. The Queen sits in her palace superbly calm. Raleigh himself has scarcely her nerve of steel. Told at dinner that her faithless kinsman is in arms against her, she eats her meal, no more disturbed than by a tumult on the stage. When, some minutes later, comes in news that London has risen for the Earl, she proudly puts aside the lie: "He who placed me in this seat will preserve me in it."

10. Essex is no more Bolingbroke than Elizabeth Richard. It is Sunday morning, and the people crowd the streets; some making holiday, more on their way to church. Yet, though the Earl rides past them, not a man from Temple Bar to Cheap arms to follow this descendant of John of Gaunt. As the Papists wheel into the city, the inhabitants shut their gates. Halberds and lances soon gleam out from city doors; not to guard the Earl, but to defend religion and the Queen; so that, when the baffled insurgents,

9. Birch, ii. 468; Jardine's Criminal Trials, i. 309.

10. Lodge's Illustrations, ii. 545; List of Prisoners in the Poultry and the Compter, Feb. 8, 1601, S. P. O.; Council Reg., Feb. 14, 1601.

VI. 10. — 1601. Feb. 8. pressed from the upper lanes about Guildhall, beat a retreat towards St. Paul's, they find the gorge of Ludgate and the long line of approaches to Essex House blocked up with pikes. Deceived in the promises of Smith, the despairing bands fall back on Ludgate Hill, where Levison, with a party of soldiers, guards the pass. Blount sounds a charge. Some fall, some turn, some cut their way through. Seeing his old adversary Waite in the ranks before him, Blount rushes upon him, and, though faint with wounds, chops the assassin down. It is the last pang of joy before he yields.

The game is now up. All London is against them in an hour, as England will be in a week. The gangs disperse. Some crawl into alehouse-vaults; some leap into boats, and drop with the tide; but every honest man's hand is against them, and at sundown most of the leaders are safe in jail. In less than forty-eight hours from the first rebellious shout near Temple-bar, Ogle and Throckmorton are in the Gatehouse; Baynham, Lyttleton, and Percy in the Fleet; Smith and Constable in the Poultry; Blount in Mr. Newsom's house in Paul's Churchyard, when his wounds allow, to be carried to the Tower; Whitelocke in the Marshalsea; Catesby in the house of Sheriff Gamble; Grant and the two Wrights in the White Lion; Danvers, Essex, Lee, Southampton, and Monteagle in the Tower.

Feb. 19. 11. Swift justice is the only mercy they can now hope from man.

Never has criminal fairer trial, less partial judges, than the Earl. His peers, the companions of his youth, the connexions of his blood, are summoned by a special message from the Crown. The most odious facts against

11. Council Reg., Feb. 13, 1601; Jardine, i. 376.

him are withheld; the Government wishing to spare his memory, though they cannot in honour, and dare not in policy, spare his life. They shrink from proclaiming to the world that a kinsman of the Queen has been in treacherous intercourse with Jesuits and the Pope. Not a word is said on the trial about his midnight interviews with Father Wright; not a word about his complicity in the publication of Hayward's tract. Only the obvious facts are proved, but these suffice. From the hour of his rising his fate has been sealed. That girlish romance of the ring, that still more girlish tale of Elizabeth's weakness and change of mind, are idle mirage of the brain. Camden, indeed, speaks of her hesitancy; but Camden wrote after the Queen's death, when it had become fashionable at court to speak well of the Earl. Jardine was the first to remark that this rumour of her changes and hesitations is unsupported by any one passage in the State Papers. In fact, Elizabeth never in her life showed less weakness than in the case of her rebellious kinsman. For a crime like his there was no mercy but the grave.

VI. 11. 1601. Feb. 19.

12. Called by the Privy Council to bear his part in this great drama, Bacon no more shirks his duty at the bar than Levison shirked his duty at Ludgate Hill, or Raleigh his duty at Charing Cross. As her Counsel Learned in the Law, he has no more choice or hesitation about his duty of defence than her Captain of the Guard. Raleigh and Bacon have each tried to save the Earl as long as he remained an honest man; but England is their first love, and by her faith, her freedom, and her Queen they must stand or fall.

12. Council to Bacon, Feb. 18, 1601, S. P. O.; Abstract of Evidence against Essex, July 22, 1600, S. P. O.; Jardine, i. 316-321; 351, 360.

VI. 12. — 1601. Feb. 19.

Never is stern and holy duty done more gently on a criminal than by Bacon on this trial. He aggravates nothing. If he condemns the action, he refrains from needless condemnation of the man. Here is his speech (set down, though it has already appeared in print, that the reader may have the whole case before his eyes without trouble of turning to another book):

"My Lord, I expected not that the matter of defence would have been excused this day; to defend is lawful, but to rebel in defence is not lawful; therefore what my Lord of Essex hath here delivered, in my conceit, seemeth to be *simile prodigio*. I speak not to simple men, but to prudent, grave, and wise peers, who can draw up out of the circumstances the things themselves. And this I must needs say, it is evident that my Lord of Essex had planted a pretence in his heart against the Government, and now, under colour of excuse, he layeth the cause upon his particular enemies. My Lord of Essex, I cannot resemble your proceedings more rightly than to one Pisistratus, in Athens, who, coming into the city with the purpose to procure the subversion of the kingdom and wanting aid for the accomplishing his aspiring desires, and as the surest means to win the hearts of the citizens unto him, he entered the city, having cut his body with a knife, to the end they might conjecture he had been in danger of his life. Even so your Lordship gave out in the streets that your life was sought by the Lord Cobham and Sir Walter Raleigh, by this means persuading yourselves, if the city had undertaken your cause, all would have gone well on your side. But the imprisoning the Queen's councillors, what reference had that fact to my Lord Cobham, Sir Walter Raleigh, or the rest? You allege the matter to

have been resolved on a sudden. No, you were three months in the deliberation thereof. Oh! my Lord, strive with yourself and strip off all excuses; the persons whom you aimed at, if you rightly understand it, are your best friends. All that you have said, or can say, in answer to these matters, are but shadows. It were your best course to confess and not to justify." VI. 12. 1601. Feb. 19.

What a contrast to the style of Coke! Later in the day, after hours of prevarication on the part of Essex, Bacon speaks again, in a warmer tone, but without a particle of rancour in his words:

"My Lord, I have never yet seen, in any case, such favour shown to any prisoner; so many digressions, such delivering of evidence by fractions, and so silly a defence of such great and notorious treasons. Your Lordships may see how weakly my Lord of Essex hath shadowed his purpose, and how slenderly he hath answered the objections against him. But admit the case that the Earl's intent were, as he would have it, to go as a suppliant to her Majesty, shall petitioners be armed and guarded? Neither is it a mere point of law, as my Lord of Southampton would have it believed, that condemns them of treason, but it is apparent in common sense; to consult, to execute, to run together in numbers, in doublets and hose, armed with weapons, what colour of excuse can be alleged for this? And all this persisted in after being warned by messengers sent from her Majesty's own person. Will any man be so simple as to take this to be less than treason? But, my Lord, doubting that too much variety of matter may occasion forgetfulness, I will only trouble your Lordship's remembrance with this point, rightly comparing this rebellion of my Lord of Essex to the Duke of Guise's, that

VI. 12. — 1601. Feb. 19. came upon the barricadoes at Paris in his doublet and hose, attended upon but with eight gentlemen; but his confidence in the city was even such as my Lord's was; and when he had delivered himself so far into the shallow of his own conceit, and could not accomplish what he expected, the King taking arms against him, he was glad to yield himself, thinking to colour his pretexts and his practices by alleging the occasion thereof to be a private quarrel."

Defence there is none: the peers condemn him to death.

Mar. 13. After trial and condemnation, when the Garter is plucked from his knee and the George from his breast, the Earl's pride and courage give way. He closes a turbulent and licentious life by confessing against his companions, still untried, more than the law-officers of the Crown could have proved against them; and, despicable to relate, most of all against the two men who have been his closest associates—Blount and Cuffe. His confessions in the face of death deprive these prisoners of the last faint hope of grace. They go, with Meyrick and Danvers, to the gallows or to the block. But the anger of the Queen being stayed, the rest of the gang—Catesby, Tresham, Grant, Winter, Baynham, and their tribe—escape, some with imprisonment, some with mulct, for future villanies. At the end of twelve or fifteen weeks the last of the conspirators leaves the Tower.

Aug. 6. 14. Their fines reward service for which no other salaries are paid. The Queen, who in the fictions of biographers and historians is for ever starving Bacon for the good of

13. Council Reg., Feb. 24, 1602; Jardine's 'Criminal Trials,' i. 366-372; State Trials, i. 1412, 1414.

14. Council Reg., Aug. 6, 1601.

his soul, now makes over to him, in actual fact, a considerable share of Catesby's fine. The manner of this grant of twelve hundred pounds is not less gracious than the gift itself. It is not made in the usual way, from the Lord Treasurer's office, but as a public act of the Privy Council and the Queen. VI. 14. — 1601. Aug. 6.

A council meets at Greenwich Palace, Egerton in the chair. Around him sit Lord Buckhurst, the delightful poet; Nottingham, the great commander; the Earls of Shrewsbury and Worcester; Knollys, Fortescue, and Cecil. These councillors draft a letter to Coke, which stands among the many interesting letters in the Privy Council register thus:

A Letter to Edward Coke, Esq., Her Majesty's Attorney-General.

Aug. 6, 1601.

Forasmuch as her Majesty is pleased to bestow particular reward upon divers of her servants, to be taken out of such fines as have grown unto her by the offences of several persons, we have thought good to let you know particularly who they be that are at this time to receive several portions in that kind, to the intent that you may cause some such assurances to be passed over, as the person may be assured to receive those portions as are allotted to them according to her Majesty's gracious pleasure, in this sort following. When there is an assurance passed to her Majesty's use of certain lands, for the payment of two thousand at several days by Francis Tresham, her Majesty is pleased that Mr. Lieutenant of the Tower shall receive the sum of a thousand five hundred pounds, assigned him out of that; the other five hundred remaining to be disposed at her Majesty's pleasure. Next, you shall

VI. 14. — 1601. Aug. 6. understand that she is likewise pleased to divide the fine of Mr. Catesby between Mr. Francis Bacon, Sir Arthur Gorges, and Captain Carpenter, at Ostend, in this sort following, for which you are likewise to prepare some such assurance to be passed from the Queen as the person may receive those sums, every one pro rata, out of every portion as it is assigned to be paid at several times, namely, to Mr. Bacon the sum of a thousand two hundred pounds; to Sir Arthur Gorges a thousand two hundred pounds; and to Captain Carpenter the rest; for doing whereof these presents shall be your warrant.

THOMAS EGERTON.
BUCKHURST.
NOTTINGHAM.
SHREWSBURY.
WORCESTER.
KNOLLYS.
ROBERT CECIL.
JOHN FORTESCUE.

Fancy Coke's delight in passing an assurance for twelve hundred pounds to Francis Bacon!

15. One actor in the drama which has shaken London slips mysteriously from public view. Flung into the Tower with Essex and Danvers, as of equal guilt, Lord Monteagle is neither put with them on trial for his life, nor, in the various public investigations, are the damning facts of his having sent for Augustine Phillips and of having paid the Globe comedians to play the deposition of Richard II. on the very eve of the rising, allowed to escape Coke's lips in a public court. That Phillips was sent for to Essex House, and was there paid money

15. Phillips' Examination, Feb. 18, 1601, S. P. O.; State Trials, i. 1445.

to change the play at the Blackfriars theatre, are facts too grave for the prosecution to conceal; but when Coke rises, with the comedian's evidence in his hand, he drops the name of Lord Monteagle from the sworn depositions, inserting that of Meyrick in its place! Meyrick is hanged, Monteagle only fined. VI. 15. 1601. Aug.

Cecil must have his reasons for this strange suppression, this cruel substitution: reasons which become clear from Monteagle's share in the more terrible drama of the Powder Plot.

16. Lord Campbell writes, and many others have written, as though it would have been right for Bacon to have shirked his part in this great act of justice. Yet this can hardly be his serious meaning. To put Bacon in the wrong, the objector must prove Essex to have been acting in his right. This, it may be safely asserted, they can never do. If all writers must agree that England was justified in crushing with swift, stern hand this peculiarly hideous and unnatural plot, by what path of reasoning can we come to a conclusion that one of the Queen's Counsellors, called to his duty by the Crown, was not right?

In Bacon's place, we must assume that Lord Campbell would have done his duty as Bacon did. There is no second course for honest men. Bring the case down. Lord Campbell has had many clients: men who have paid him fees far larger than the patch of meadow tossed to Bacon by the Earl. Imagine events arming the papal powers once more against England; hostile fleets off the coast; O'Donnel or M'Mahon at the head of a successful host in Connaught; Zouaves swarming in Cork; our colonies menaced with fire and sword; a gang of ruffians,

16. Campbell's 'Lives of the Chancellors,' iii. 37, 39.

VI. 16. — 1601. Aug. spawn of the stews and prisons, abroad in London; the Queen's cousin of Hanover plotting with all those rebels and fanatics against her crown and life; a foreign league resolving to put down our free constitution and our Protestant faith; imagine, under all these circumstances of alarm, one of Lord Campbell's former clients, a man for whose personal character he felt no respect and whose political conduct he held in abhorrence, joining with John Mitchell, Dr. Cullen, and the disbanded remnants of the Pope's brigade in open rebellion against the law, in rousing the dregs of the city, in shedding innocent blood at Charing Cross; would not Lord Campbell, under such provocations, do his duty as a lawyer and as a man?

This was Bacon's case. He owed nothing to Essex that could have tempted even a weak man to take the wrong side instead of the right side. He owed allegiance to his country and to truth. He was as much the Queen's officer, armed with her commission, bound to obey her commands, as her Captain of the Guard. He had no part in the Earl's crime, and utterly abhorred his means, his associates, and his ends. To have done more than he did in the conduct of this bad drama might have been noble and patriotic; to have done less would have been to act like a weak girl, not like a great man.

Oct. 17. That the bearing of Francis Bacon throughout these mournful events is just and noble, is the public verdict of his time. Lord Campbell talks of his fall in popularity. "For some time after Essex's execution Bacon was looked upon with great aversion." But, in truth, he never loses for a day the hearts of his countrymen. Of this the proofs are incontestable. While the

17. Campbell's 'Bacon,' iii. 43; Willis, 'Not. Parl.,' 149.

spirits of men are yet warm with remembrance of the scenes at Tyburn and on Tower Hill, writs travel down into the shires for a new Parliament. Now, therefore, comes the proof how far he has fallen. If he be thought of with aversion, as Lord Campbell says, here are the means, the opportunities, and the scenery for a condign revenge. The scot and lot men of Elizabeth are not nice. A candidate cross to the moods of squire and freeman often finds himself burned in straw, pelted with foul eggs, or drummed by humorous rogues from the county town. Do the friends of Lord Essex rise on his adversaries? Is the drum beaten against Raleigh, or the stone flung at Bacon? Just the reverse. The world has not been with the rebellious Earl; and those who have struck down the papist plot are foremost in the ranks of the new Parliament. Four years ago Bacon had been chosen to represent Ipswich, and the chief town of Suffolk again ratifies its choice. But his public acts have won for him a second constituency in St. Albans. Such a double return—always rare in the House of Commons—is the highest compliment that could have been paid to the purity and popularity of his political life. VI. 17. — 1601. Oct.

CHAPTER VII.

THE NEW REIGN.

VII. 1. 1603. April.

1. Nor is Bacon's popularity a tide at the ebb. The Queen dies. A King comes in who knows not Joseph, nor the principles of Joseph. James has secretly promised peace to Spain. A man of weak nerve and small quick brain, fond of his ease, a friend of dogmatic controversies and a stranger to religion, he can neither tolerate nor understand the passionate fervour of the realm for this foreign war. By war he sees that he may offend the Jesuits and the Pope, men who can put poison into his wine or sharpen against him an assassin's knife. What are the Dutch to him, that he should offend for them the masters of a hundred legions and twenty secret fraternities? Why, these Dutch are in arms against lawful kings! England, it is true, has undertaken their defence, and, in league with Henri Quatre, she has for many years past commanded in their towns and camps. But the treaties of Elizabeth, he says, are not his treaties, nor can he hold himself bound by the acts of a woman and a fool.

But the desertion of a cause which every man between the four seas possessing high spirit and sound faith feels to be his own, is not the act of a day. A path must be prepared. The eager spirits must be dispersed or stunned, the great fighting-men must be crushed or bribed. Cecil adopts this policy of peace, which suits his genius and secures to himself the foremost place. Nottingham is won by a youth-

1. King's MSS. 123; Harl. MSS. 532.

ful bride, and Vere is recalled from the Flemish camp. A master-work of political art sends Gray and Raleigh to the Tower. At the same time Bacon is thrust aside, discredited to the new sovereign, his usual access to the throne refused, and his proffered services of tongue and pen disdained. VII. 1. 1603. Nov.

2. At court he is under a cloud. The patron of Essex, the employer of Valentine Thomas, takes into his grace all those who shared in the Earl's affections and in his crime. Southampton is restored in blood. Lady Rich and the Countess of Northumberland appear at court. Lady Rich's lover, Montjoy, becomes an earl. Rutland gets the reversion of a royal park, Monteagle a grant of land. Among those old partizans of Essex, who now keep the gates of Whitehall and dispose of offices and grants, Bacon is undoubtedly unpopular: less, however, for his past speech against the Earl than for his present defence of the dead Queen. In James's ear the name of Elizabeth is rank; on Bacon's tongue and pen her virtues live and her glories speak. When no man but himself dares breathe her name in the court of her successor, he composes that magnificent prose elegy, In felicem Memoriam Elizabethæ, which he himself esteems the most precious of all his works. The cloud is at Whitehall or at Hampton Court, not at Ipswich or St. Albans. To the country his name is dear as ever. When writs go out for the first Parliament of the new reign (one purpose of which is to restore the friends of Devereux in estate and blood), though the King and court bear hard against him, Ipswich and St. Albans send him to 1604. Jan.

2. Grant Book of James the First, 2, 3, S. P. O.; Doquets of James the First, Nov. 13, 1604, S. P. O.; Warrant Book of James the First, 4, S. P. O; In felicem memoriam Elizabethæ, Bacon's Works, vi. 283; Willis, Not. Parl., 160.

VII. 2. — 1604. Feb. London once again by a double return. Nor is this all. So soon as the burgesses meet in Westminster, he becomes again, what he has been before in every session for twenty years, their chief. Some go so far as to use his name for Speaker of the House; a fact unknown to Lord Campbell; yet worth a word in reference to the report of his lying at that very moment under public ban.

Mar. 27. 3. By ancient usage the Crown appointed the Speaker to be chosen by the House. A leave to elect came down, weighted with a particular recommendation; and, like a dean and chapter in the election of a bishop, the squires and burgesses were expected to adopt the royal choice. A time has now come for trying what force remains in these feudal forms. Some members think this leave to elect a Speaker should be taken in its open sense: that the House should choose its officers, causing these old pretensions of the Crown to cease. When, therefore, the court proposes Sir Edward Phellippes, a buzz and hum of opposition rises. Why not have a Speaker of their own? Hastings, Neville, Bacon, each is named. Hastings is a Puritan, Neville an opponent of the court. That each of these men should be deemed fit instruments of opposition to the Crown is susceptible of easy explanation. But Bacon is neither a Puritan nor an enemy of the court. He differs from the Puritans on some of their principles, particularly on their intolerance for errors of faith; and he supports the King against many of their most obstinate prejudices, particularly their repugnance to a union with the Scots. Yet the gentlemen who live with him and serve with him, who dine at the same tables, laugh over the same jests, and

3. Com. Jour., i. 141; Bacon's Essays, No. 3; Bacon's Speech on the Naturalization of the Scots, State Trials, ii. 575.

sometimes, it is likely, suffer from his wit, believe he may be played, in a good cause, even against the King. These gentlemen have not discovered that Bacon is a corrupt and obsequious rogue. VII. 3. — 1604, Mar. 27.

4. If the House of Commons, not yet strong enough to give battle to the Crown on such a field as the choice of Speaker, accepts the nomination of Phellippes, it puts Bacon forward as its man of confidence, electing him on the Standing Committee of Privileges, on the Committee of Grievances, of which he is named reporter, on the Committee for Conference on the Restraint of Speech, on the Committee for Union with Scotland; in all, on twenty-nine committees. All through the session he speaks with a boldness, an ability, a frequency unrivalled in the House of Commons before his day or since. The topics are great and various: abuses in the taverns, the laws against witchcraft, the licence of purveyors, the election of members, the sin of adultery, the increase of drunkenness, the sale of Crown offices and lands. Two topics stand out from the rest with almost solid brightness of historical outline. These are the Grievances and the Union. April.

On the first he has the disadvantage of differing from the Crown; on the second from a majority of those country gentlemen with whom he usually speaks and votes. James will not hear of the List of Grievances, nor will the burgesses vote his Bill of Union with the Scots. Each side has its personal feeling and its narrow view. With a deeper wisdom and a larger patriotism, Bacon, while he sees with the King that these claims to suspend the penal laws, to grant private monopolies, to command personal service, to sign away heiresses

4. Com. Jour., i. 142-253; Lords' Jour., ii. 206, 309.

VII. 4. — 1604. April. in marriage, to supply his kitchen from the poulterer's basket and his cellars from the vintner's store at his own price, are each and all incontestably historical, founded in custom older in date than the oldest statute in the book, sees also with the complaining citizen or squire that time, by its slow but devouring sap, has hollowed the ground on which these regal privileges stand, so that they have no longer a safe foundation on which to rest, and seeks to improve the old ways before improvement is too late. But James is deaf. To take from him the right to reward a barber with a wine patent, to compel the young noble to hold his reins or feed his dogs, to match his favourites of the bedchamber with the daughters of English earls, to fetch in ale from Blackfriars and fish from Billingsgate wharf, to grant leave to his groom, or the darling of his groom, to vend pardons for rape and arson, burglary and murder, would, in his opinion, be to rob him of the most princely attributes of his high rank.

5. Some among the Commons are not less weak than James. When they see him break his word, turn his back on the List of Grievances, nip in the flower their hopes of a Church reform, begin a secret correspondence with the Cardinal Archduke and with the Pope, they set themselves to oppose his policy even in the few particulars on which his policy is just and sound. In a union with the Scots Bacon finds a measure of defence against Spain. A dull squire sees in it only an opening for the rush into London of savages with red beards, bare legs, and scurvy tongues.

5. Abstract by Bacon of Objections in the House of Commons, April 25, 1604, S. P. O.; Speech on the Union, April 25, 1604, S. P. O.

Waiving his own wrongs for the public good, Bacon draws for the King the draft of a Bill of Union, which he introduces into the House of Commons in a splendid speech, opening to the view of knight and squire a political scene, in which he pictures to their minds the contending nationalities and hostile creeds of Europe, striving, by his bold, persuasive eloquence, to lure them into pondering less on the ancient feud of Saxon and Scot, more on the permament safety of the English faith and power. With all the lights of fancy, all the subtleties of logic, he meets on one side the obstinacy of his colleagues, on the other side the perverseness of his prince. Each, however, holds to his own. The Grievances are not heard, the Bill of Union does not pass. VII. 5. 1604. April.

6. While Bacon is making these splendid displays of political wisdom and personal independence in the House of Commons, Lord Campbell fancies him slinking and skulking under public odium! July.

Lord Campbell takes everything on trust. When Bacon got his knighthood, Lord Campbell says he was "infinitely gratified by being permitted to kneel down with three hundred others." Now, Bacon's letters to Cecil on the knighthood are not only in print, but are known to every one who reads. In place of being infinitely gratified, Bacon protests against the shame of being compelled to kneel down with Peter and John. So again with his marriage to Alice Barnham. Lord Campbell makes merry over his mercenary love and his match of convenience. Yet from his own text, and from the pages of Montagu, it is certain that he knows nothing whatever of this love or of this match; neither who Alice Barnham

6. Campbell's Lives of the Chancellors, iii. 49.

VII. 6. 1604. July. was, nor the circumstances of her parents; neither when she became Bacon's wife, nor the amount of jointure which she brought home to her lord. He imagines that Alice became Lady Bacon in 1603, shortly after July 3rd. He says she was rich.

In all that relates to Alice Barnham the writers of Bacon's life have been as much at fault as though she had been first the love and then the wife of Ward the Rover or Steer the Leveller, in place of being, as she was, lady to a man who framed the New Philosophy and held the Great Seal. Yet some of the facts about her birth, the associations of her early years, the members of her family, the circumstances of her love, courtship, marriage, and wedded life, may still be recovered from the manuscript mounds of the Bodleian, the State Paper Office, and the library of Westwood Park.

Aug. 7. More than a year ago, in writing to his cousin Cecil, Bacon mentioned his having found a handsome maiden to his mind. She loved him and he loved her. But her mother, a widow and again a wife, having made two good matches for herself, has set her heart on making great alliances for her girls. In part to please her, still more to glorify his bride, Bacon waits and toils that he may lay at her feet a settled fortune and a more splendid name.

The family into which—when he can steal an hour from the courts of law and the pursuits of science—he goes a-courting, and in which he is now an accepted lover, consists of four girls, their pretty mother, and a bold,

7. Bacon to Cecil, July 3, 1603; Notes on the Pakington Family in Wotton's Baronetage, ed. by Kimber and Johnson, i. 180. Wotton's account was derived from a MS. History of Sir John Pakington written by the Rev. Mr. Tomkins, a Prebendary of Worcester, preserved in Wotton's time at Westwood Park. The MS. is now lost.

handsome, heady stepfather of fifty-six: a group of persons notable from their private stories, and of romantic interest from their loves and feuds with the philosopher, and from the part they must have had in shaping his views of the felicities and infelicities of domestic life. VII. 7. — 1604. Aug.

8. The four young girls are the orphan daughters of Benedict Barnham, merchant of Cheapside and alderman of his ward; an honest fellow, who gave his wife a good lift in the world, and left his children to take their chance of rising among men who, with all their sins, are never blind to the merits of women blessed with youth, loveliness, and wealth. Alice is the first to fall in love; but the three hoydens who now romp around her, and perhaps get many a hug and kiss from her famous lover, will soon be in their turns followed for their bright eyes and brighter gold. Elizabeth will marry Mervin Touchet, Earl of Castlehaven, that miserable wretch who, when his first young wife, the hoyden of to-day, is in her grave, will expiate on the block the foulest crime ever charged against an English peer. The two little things now playing at Alice's knee will become, in due time, Lady Constable and Lady Soames.

The mother of these girls was a daughter of Humphrey Smith, of Cheapside, silkman to the Queen. Eager, lovely, and aspiring, she won the alderman of her ward —an admirable city match; but she meant and means to rise yet higher in the world, and heaven has given her the strength to fight her way. Of the four husbands whom she has made, or has still to make, the happiest of their sex, each is to be in his turn a loftier one than

8. Wotton, i. 180-186; Nash's History of Worcestershire, i. 352; Collins' Peerage, art. 'Audley.'

VII. 8. — 1604. Aug.

the last. She has buried a citizen. She will, in turn, bury her knight. She will then marry a baron, and, on his death, an earl. Barnham was her early choice. When he left her with the four girls and a great estate, Sir John Pakington, of Hampton Lovet, ancestor of that Worcestershire baronet who is said to have sat to Addison for the portrait of Sir Roger de Coverley, proffered to console her with his hearty affection and his good old name. The widow was not perverse. If she wept for the dear alderman of Cheapside, it was in a coach emblazoned with the mullets and wheatsheafs, and with a handsome and jovial knight at her side.

9. Sir John has been a father to the four girls; for if rough and ready, apt to quarrel and quick to strike, he has a gentle and manly heart. A gentleman with due pride in his long line and his broad lands, in his length of leg and width of chest, he is known at Christchurch and on Richmond-green as Lusty Pakington; and the good old Queen, who liked to see a man a Man, made him, for his brave looks, a Knight of the Bath. A great swimmer, an adroit swordsman, few who can help it ever care to wait the shock of his hasty temper or his vigorous thrust. The great man of his country-side, he sends his buck for the judges' table at assizes, and has his name put first on every commission from the Crown, whether the shire is called to raise forces against Spain, build lighthouses in the Bristol Channel, or provide for the wants of sick and disabled troops; but when orders from the Crown

9. Council Reg., Aug. 24, 1600, June 6, Oct. 13, 1601; Wotton, i. 180; The Camden Society's Miscellany, iv. 50. There is a portrait of Sir John at Westwood Park. My impressions of him are mainly derived from a multitude of private papers preserved at Westwood, free access to which I owe to the obliging courtesies of the Right Hon. Sir John Pakington, Bart., his descendant and successor.

oppose his own particular humour, as they sometimes do, he quietly puts them in the fire. The Privy Council has to be rather plain and rough with the jovial knight. Once he laid a wager to swim against three stout gallants from Westminster to London-bridge; but the Queen forbade the match, lest some of the fools should get drowned. He has a passion for building and digging on a princely scale. He buys a whole forest of trees for his salt-pits and for the great house which he is building at Westwood Park, and he sinks a great farm of a hundred acres under water that he may have room to swim and fish. Debt catches the generous spendthrift in its claws; and that which could not force him into meanness, lures him, at the age of fifty, into love. When maddened by duns, he swore to be free of such rogues, even if he had to give up London, and live on bread and verjuice. News that Sir John was going to forsake the town, to sell horses and dogs, and, for the time to come, live on his own estate, shoot in the woods round Hampton Lovet, and stick to the sessions of Worcester, as his father and grandfather had done before him, soon got wing; when sixty stout gentlemen and yeomen of the shire, his friends and tenants, seated in their own saddles, pricked up to London, and waited for him at the palace-gates while he went in to bid the Queen adieu. Sorry to miss so fine a gentleman from her court, Elizabeth gave him an estate in Suffolk, worth from eight to nine hundred pounds a year, of traitor's land. Off he spurred to take possession; but, on gaining the door of his new house, he found there a mourning lady with her children in despair. In place of kicking them out into the street, he ran away himself, nor ever rested in his bed till he got the Queen to take back her gift and bestow it on the weeping lady and her little brood. When

VII. 9. — 1604. Aug.

VII. 9. 1604. Aug. a good friend in the city whispered in his ear the name of widow Barnham, the great affectionate fellow, wanting to dig and build, and having no objection to four pretty girls to romp with him and love him, as they were sure to do, dashed into Cheapside, told his bashful little tale, and the young widow, wooed for the second time in her life, said Yes.

10. A brood of Pakingtons has joined the brood of Barnhams—Mary, Ann, and John their names. Mary will live to become Lady Brook; Ann first to become Lady Ferrars, then Countess of Chesterfield; Jack will be the first baronet of his line; and his son, Jack also, will be the famous cavalier who sacrificed so much for Charles the First, and who married Lady Dorothy, the friend of Hammond, and the reputed author of 'The Whole Duty of Man.'

The Barnhams and Pakingtons keep house together; in summer-time at Hampton Lovet, among the oaks and apple-trees; in term and sessions, when the world rides up to town, they hire a lodging in the Strand, over against the door of the Savoy church. Their home is in Worcestershire: a big stone house, in a wooded dell, close by Hampton-brook, and at the foot of Hornsgrove-hill: a pile with flanking wings, a trim parterre in front, and five huge lanterns on the roof, from which nothing can be seen save the square plain tower of the village church, the clasping zone of wood, and now and then a curl of ascending smoke from the Droitwich salt-pans. Near a mile from Hampton Lovet lie the ruins of an ancient abbey, which may possibly have been the scene

10. I derive these details from the Westwood MSS., the stained glasses of Hampton Lovet church, and personal inspection of the localities, with the valuable aid of Sir John and Lady Pakington.

of Sir Roger's ghost. A chain of ponds, alive with fish and fed by natural springs, drips past the ruin, and beyond these slants a bright green grassy upland, bare of wood, from the top of which, a level table-land, the eye sweeps lovingly over wood and water, hill and hamlet and orchard; near it the village spires of Ombersley and Hampton; far away the cathedral towers of Worcester; and in the distance, over leagues of country, powdered in May with the pink and white of innumerable apple-trees, in autumn warm with the ruddy glow of the ploughed red land, the bold purple ridge of the Malvern hills. On this plateau, high above the low-lying woods, Sir John has begun to build a big house and dig a big lake—a house of rough red brick, with a grand hall and a state-room above it, panelled, carved, and tapestried: a house like himself, thoroughly genuine and English, in which he is to die, and his descendants are to live. His new lake, close by his house, is the wonder and bugbear of the shire. VII. 10. 1604. Aug.

11. Between this proud mother and this burly knight the course of Bacon's love for Alice has no great hope of running smooth. Lady Pakington adores great people; thinking more of Sir Francis Bacon as a friend and favourite of the Lord Chancellor than she would have thought of him had he already published the Great Instauration. Lady Egerton condescends to keep her in good humour while the man of genius waits and labours for a better time.

He has still to wait, even for that rise in his profession which is incontestably his due. On the death of Sir Oct. 28.

11. Bacon to Egerton, in Tanner MSS. 251, fol. 38 b; Doquets, Aug. 18, Oct. 28, 1604, S. P. O.

VII. 11. — 1604. Oct. 28. William Peryam, Chief Baron of the Exchequer, and the third husband of his sister Elizabeth Bacon, Fleming becomes Chief Baron, yet the Solicitorship, vacant once more, is given over his head to Sir John Doderidge, serjeant of the coif.

1605. Nov. 12. A brief reference in the charge against William Talbot, a phrase here and there in his Essays, have told the world what Bacon thought of the Powder Plot. It has not been known that he had any part, slight or serious, in repressing this foul conspiracy, the natural sequel of the Essex plot.

The new facts are found in an unpublished letter from Bacon to Cecil.

Nov. 8. The crime of Essex, the royal patronage of the conspirators, have borne their fruit in the Westminster mine. It is the eighth of November, four days after the strange discovery made by Lord Monteagle. Fawkes is in the Tower. Catesby, Percy, Christopher and John Wright are riding through the midland shires, flinging away cloaks and scarfs, the country at their heels. The fight is not yet won. Jesuits peer from the slums of Whitefriars, and many who have come to town for the fifth of November still lurk among the sheds of Drury-lane. True citizens keep watch and ward, lest, maddened by defeat, some desperate villain should commit midnight murder or scatter midnight fire.

John Drake, serving-man to Reynolds, a gentleman living in pleasant Holborn, hears a fellow named Beard declare that the plot was a brave plot, and that he, for one, regrets it has failed. Drake runs to his master, and Reynolds repeats to the Principal of Staple Inn the sus-

12. Bacon to Cecil, Nov. 8, 1605, S. P. O.; Examination of John Drake, Nov. 8, 1605, S. P. O.

picious words his servant has overheard. The Principal sees that here is no case for a city Dogberry: Beard must be a Papist, may be a plotter. Away he posts with the ancients of his Inn to Bacon's rooms in Gray's Inn Square. The words are bad, but general—may mean little, may mean much. The knave should certainly be caught and questioned. Bacon sends the examination of Drake to Cecil, with the following note:— VII. 12. 1605. Nov. 8.

BACON TO CECIL.

IT MAY PLEASE YOUR LORDSHIP, Nov. 8, 1605.

I send an examination of one who was brought to me by the principal and ancients of Staple Inn, touching the words of one Beard, suspected for a Papist and practiser,—being general words, but bad, and I thought not good to neglect anything at such a time; so with signification of humble duty, I remain, at your Lordship's honourable commands, most humbly,

F. BACON.

13. Even the atrocious plot of Fawkes and Garnet, though its success would have been death to him, as to so many more, does not sour Bacon into a persecutor. He classes their crime with the massacres of Paris; but while the bigots find in these monstrous aberrations a plea for hanging and embowelling Roman Catholics who have taken no part in them, he finds, as wise and tolerant men see in them now after a lapse of two hundred and sixty years, an argument against arming any one sect of men with the persecutor's sword. The traitor he gives up to the 1606. Jan.

13. Mathews to Carleton, July, 1606, S. P. O.; Ap. to Sainsbury's Original Papers relating to Rubens, 341, 343; Bacon's Essays, ed. of 1625, No. 3; Mathews to Bacon, April 14, July 16, 1616, Lambeth MSS. 936.

VII. 13. — 1606. Jan.

law; the heretic is to him a brother who has lost his way. In the noblest and most original of his Essays, penned in the prime of his intellectual powers, he especially explains and defends this principle of toleration. But the doctrine of his book had been previously exercised as a virtue in his life. The lapse of Tobie Mathews from the English Church to Rome puts his tolerant philosophy to the proof. Born on the steps of the episcopal bench, his grandfather a bishop, his father a bishop, four of his uncles bishops, all his connexions in the Church, the fall of this young man makes a noise in England loud as the apostacy of Spalatro makes in Rome. The Puritans would cut him off branch and bole. When he comes from Italy to London, having given up all his old delights, cards, wenches, wine, and oaths, some, who are not themselves saints, would fling him into the Tower and leave him there to die, as Spalatro, venturing into Rome, is sent to perish in the dungeons of St. Angelo. James is bitterly incensed against him, looking on his fall as that of a column of his church; his father drives him from his heart with a curse; yet, when his whole kin spit on him and cast him forth, Bacon, strong in his sympathy for a scholar and a man who has lost his way, takes this outcast and regenerate pervert to his house. Though he fights against his friend's new doctrines, he never will consent, with the less tolerant world, to hunt him down for a change in his speculative views, which every eye can see has made him a better and a happier man. The philosopher may not be always able, by any sacrifice of name and credit, to shield this enthusiast from the rage of sects, but he comforts him when in jail, procures leave for him to return from exile, softens towards him the heart of his father, and obtains for him indulgences which probably save his life.

14. In the session which meets after the plot Bacon plays a most active and brilliant part. The whole world has come to town: some to see that the King is safe, some to see the traitors hang. Among others have come up Sir John and Lady Pakington, together with the young ladies from Westwood Park. VII. 14. — 1606. Feb.

Sir John has left behind him for a few weeks his brine-pits, his great pool, his herds of deer, his new house in the wood, his petty squabbles with the neighbouring squires, and penned himself and the young ladies in a lodging of the Strand, not only that he may see the opening of parliament and hear the news, but that he may fight his way through two or three of his ugly scrapes. In digging his huge pond in Westwood Park, he has put under water some part of an old road, never doubting his power to do what he saw good on his own estate, the more so that he has given a turn to the road more convenient for himself and for every one else. A neighbour, between whom and Sir John no love is lost, seeing the flaw in this easy mode of making things straight, procures from the Crown an order to remove the pond and restore the King's ancient highway. This news he sends to Westwood, saying, with a politeness which the hot old gentleman reads for insult, that, though he has such an order in his hands, he shall not use it so long as the knight shall be pleased to live with him on friendly terms. Scorning to owe his pleasures to such a fellow, Sir John breaks down his banks, and, the pool lying high, the waters race and crash through the orchards, strewing the fields with dead fish for a mile or more, and discolouring the Severn as far off as

14. Carleton to Chamberlain, May 11, 1600, S. P. O.; Wotton, i. 184; Heath's Preface to Bacon's Speech on the Jurisdiction of the Marches, vii. 569; Dom. Papers James I., x. 86.

VII. 14. Worcester for a week. Having let out his pool, he has come to answer for himself, and seek power to fill it with water and fish once more.

1606. Feb.

A yet more serious quarrel with Lord Zouch has helped to bring him up to town. As President of the Council of Wales and the Welsh Marches, Lord Zouch has for a long time claimed a certain jurisdiction over the four border shires of Gloucester, Hereford, Salop, and Worcester; a claim which the shires deny and resist, with loud speeches from the gentry, met by threats of force on the part of Zouch, tumultuous riding, signing, and protesting, ending for a day in solemn appeals from the four shires to the House of Commons, and from the angry Council of Wales to the King. Sir Herbert Crofts, Knight of the shire for Hereford, has the cause against Zouch in hand. Sir John, who is Sheriff of Worcester, but not a Parliament man, having no tongue to wag, has yet a passionate interest in the appeal; for Lord Zouch not only claims a certain authority in his county, but shows no sense of the respect due, even from a peer, to so great a man as Sir John.

15. Alice is now near her lover, whom she may spy as he trots from Gray's Inn to Westminster, or lounges from the House towards Chancery-lane. Bacon sees many a rock ahead. He is still a simple knight, and he has the misery of differing from Sir John on the great question of Lord Zouch and the shires.

Sir John can hardly make him out. Pakington is a Royalist root and branch, one who has lent money to his Prince on Privy Seals, and who would draw a sword for Church and King with the ready zeal which made

15. Com. Jour., i. 286, 299; App. to the Verney Papers, ed. by John Bruce, 281.

his grandson famous among the soldiers of Charles the First; yet this young lawyer, who has spent his life in recommending reforms, presumes to defend against him, loyal Sir John, the prerogatives of the Crown! Wiser heads than that of the warm old Worcestershire knight are often at fault when trying to explain to themselves the relations of Bacon to the Puritan House of Commons and to the episcopal and regal court. Yet they seem to be easy of explanation. It is, indeed, so rare for a man to stand on good terms with a hostile Crown and House of Commons, that it is often thought and sometimes found to be impossible. Winwood tried it. Strafford tried it. Pym would have tried it. But Winwood lost favour with the House when he took office under the Crown; lost favour at Court when he leaned to the Puritan opinions of the House. Strafford and Pym had each to choose a side. Bacon's position was far more lofty, and for years it seemed as if it were more secure. From his height of view and round of sympathy he is unable to throw himself, tongue and pen, into the exclusive and sectarian lines of either camp. His reconciling genius spans the dividing stream of party. Above the foolish Prince and petulant squires, he sees his country; not merely the England of Bancroft, of the Hampton Court Conference, of the Proclamation against Papists; but the England of a thousand years, of Alfred and of Edward, of Cressy and of Cadiz, of Chaucer and of Spenser; the England of a glorious past and a hopeful future; the land which nurtured Wycliffe and Caxton, which broke the spiritual bonds of Leo, which crushed the invincible fleets of Spain. This country he strives to arm, to free, to guide; now by aiding the King in questions of revenue and of union; now by aiding the House in ques-

VII. 15. 1606. Feb.

VII. 15. — 1606. Feb.

tions of reform or war. In each he is consistent first and last. His first votes in the House were for supplies, his last speech will be for supplies. With no fear of the controversial genius of Rome, he feels a wholesome dread of the fleets and regiments of Spain; those tracts by which Parsons, Schioppius, and Bellarmino sting the sleep from so many pillows pass him by; but he cannot hear unmoved that the same Paul who has launched an interdict on Venice is forming a Roman Catholic League against England; that the O'Neiles and O'Donnels driven out from Ireland by Lord Montjoy are hurrying home from Brussels and Madrid; that rebels are drilling in the wilds of Connaught and Ulster; that Fajardo is manning his ships in Cadiz bay, and Brochero proffering his red hand to brush away Virginia with steel and flame. Willing to meet the men of words with words, he is not less eager to meet the men of war with steel and lead, the midnight assassin with the chain, the gibbet, and the cord. Now, to starve the Crown is to leave England weak. True, the Prince is lax, and moneys voted for the musters and the fleets may chance to drop into the pouches of Hume and Herbert and Carr; yet of two dark evils he chooses to dare the least, seeing that to pare down the subsidies, as many virtuous and unreasoning squires propose, is to subject James and his needy servants to the magnificent corruptions of Lerma, the great minister of Spain, already suspected, and with truth, of having taken the chief men of the Privy Council and the Bedchamber into his pay. Better own the King's debts than let Lerma pay them. Therefore, while he speaks with Hastings and Hyde against patents, wardships, private monopolies, the whole tag-rag of feudal privilege, he constantly votes with Hitcham and Hobart for those supplies which are necessary

to maintain the splendour of the Crown and the efficiency of the musters and the fleet. VII. 15. 1606. Feb.

Here he parts from the majority; wide as in his vote for union with the Scots.

16. Cecil, knowing his kinsman free from selfish and sectarian views, consults him on the money-bills and settlements. The debates on a grant for the new reign are about to come on; and Cecil, who as Earl of Salisbury sits in the Peers, has begun to feel his need of a bold and influential friend in the Lower House. He hints that the Court shall no longer oppose Bacon's rise at the bar. On his part, Bacon is ready to assist the Crown in procuring an ample grant; to shape drafts and preambles such as may disarm the resentment of knight and squire. Cecil takes him at his word, and Bacon drafts a bill. Here is a note which shows how he is nearing power:

BACON TO THE EARL OF SALISBURY.

IT MAY PLEASE YOUR GOOD LORDSHIP, Feb. 10, 1606.

I cannot as I would express how much I think myself bounden to your Lordship for your tenderness over my contentments. But herein I will endeavour hereafter as I am able. I send your Lordship a preamble for the subsidy, drawing which was my morning's labour to-day. This mould or frame, if you like it not, I will be ready to cast it again, *de novo*, if I may receive your honourable directions: for any particular corrections, it is in a good hand; and yet I will attend your Lordship (after to-morrow's business, and to-morrow ended, which I know will be wearisome to you) to know your further pleasure:

16. Bacon to Cecil, Feb. 10, 1606, S. P. O.

VII. 16. — 1606. and so in all humbleness I rest at your Lordship's honourable commands more your ever bounden

F. BACON.

Mar. 11. 17. After warm debates in the Lower House a bill goes up to the throne for two subsidies and four fifteenths, payable in eighteen months. It is not enough. Hitcham, member for Lyme, a patriotic fighting town on the Dorset coast, proposes in committee a second grant of two subsidies, four in all. A dozen members rise at once. Peake will hear no more about the royal debts. Holt declares the proposition of Hitcham dangerous. Paddye will tell the King that even kings must not do wrong. Noy declaims against spoiling the poor to gorge the rich. Dyer and Holcroft hint that more than once demands like these have been met by the cry, To arms! But the warmest speaker is Lawrence Hyde of West Hatch, member for Marlborough. Courtiers shrink from an unequal contest. Sir Edward Hoby, an observant politician, friendly to his kinsman Cecil and the court, notes how poor a figure the King's official friends make in that masculine and stormy House.

Mar. 18. 18. Bacon starts to the front. In the midst of a noisy sitting of the committee, word comes down from Whitehall that James will not wait—that the bill must be passed, or the undutiful members shall feel his ire. Such words —now frequent—make the King odious and contemptible. A storm sets in; the members fling back threat for threat; the bill is lost.

17. Hoby to Edmonds, Mar. 7, 1606; Cecil to Earl of Mar, Mar. 9, 1606, S. P. O.; Com. Jour., i. 281-84.

18. Bacon to Cecil, Mar. 22, 1606, S. P. O.; Com. Jour., i. 288; Jonson's Epigrams, 41; A Proclamation touching a Seditious Rumour, Mar. 22, 1606.

This scene takes place on Tuesday. On Thursday the committee meets again; the King has not accepted his defeat, nor will the Commons enlarge their vote. Saturday brings no change of mood. On Monday the committee must report to the House; and Bacon, who has been made reporter, will have to report against his own convictions of what is best for the country and the Crown. He sees the committee sullen, almost savage. Monday is the anniversary of the King's accession, yet no one rises to propose a holiday. VII. 18. 1606. Mar. 22.

Fagged with work, he must ride down to Gorhambury for a day of rest. He does not wish to appear as if flying from his post, so he takes up his pen and writes:

BACON TO THE EARL OF SALISBURY.

This Saturday, the 22nd of March, 1606.

IT MAY PLEASE YOUR GOOD LORDSHIP,

I purpose upon promise rather than business to make a step to my house in the country this afternoon, which, because your Lordship may hear otherwise, and thereupon conceive any doubt of my return to the pursuance of the King's business, I thought it concerned me to give your Lordship an account that I purpose (if I live) to be there to-morrow in the evening, and so to report the subsidy on Monday morning; which, though it be a day of triumph, yet I hear of no adjournment, and therefore the House must sit. But if, in regard of the King's servants' attendance, your Lordship conceive doubt the House will not be well filled that day, I humbly pray your Lordship I may receive your direction for the forbearing to enter into the matter that day. I doubt not the success, if those attend that should. So I rest, in all humbleness, at your Lordship's honourable commands,

F. BACON.

VII. 18. — 1606. Mar. 22. An hour after this note is penned a rumour rises, none knows how, that the King is dead. Some say he has been shot, some stabbed, some smothered in his bed. No one asks where the King is; all agree that he is killed. Members rush to the council, to the city: but the ministers, the aldermen, know as little as themselves. Some spur for Theobalds, some for Royston. London yields itself to the wildest terrors. Hundreds of men concerned in the Powder Plot are still at large. Garnet is still unhung; the priests are sworn to have blood for blood; the Jesuits, it is said, have threatened to burn London to ashes, to massacre all the Protestants, should that shining example of Christian virtue come to harm. Citizens bar their doors and swing on their Toledo blades.

A horseman, Sir Herbert Crofts, dashes into Palace Yard. He has seen the King! The King is safe, and near the town. Fear now mutinies into joy. Bells laugh over London roofs, crowds ride in procession to meet their Prince. If he is safe, the realm is safe. The Peers and Commons go to Whitehall. Ben Jonson bursts into music. As night comes down, the streets start out with fire, and the taverns of Fleet-street and Cheapside roar with patriotic songs.

Mar. 25. 19. Sunday and Monday pass in rejoicings and receptions. Tuesday brings up Bacon. He has not, he tells the House of Commons, drawn a word-for-word report from the committee, for his soul is shaken with too much fear and joy. What, he cries, are a few debts to the exultation now straining every loyal heart? These debts are less the King's than the late Queen's. The Queen made war, the country

19. Com. Jour., i. 286, 299; Cecil to Wotton, Mar. 19, June 18, 1606, S. P. O.; Statutes 3 Jacobi, c. 26.

must repair the ravages of war. Reparation costs money. The Crown debts, too, must be paid in full, next year if not this year; and why prefer a vote one session to a vote another session? The House can name its time; but he says, Vote to-day! In that rapturous and sacred moment, when a great alarm has pressed heart to heart, and made the whole nation one, he calls on the gentlemen of England to crown their own happy work by voting the subsidies necessary to support the power of the country, the independence of the Crown. VII. 19. 1606. Mar. 25.

His eloquence bears away the House. Hyde fronts the stream; but the tide has turned towards Whitehall, and he strives against genius and enthusiasm, if manfully yet in vain. A bill for another subsidy is passed.

20. In the flush of this triumph, with his fame now fixed, and with a great place, won by himself, not tossed to him by a patron, within reach of his hand (not, as Lord Campbell says, when he is poor and down in the summer of the Queen's death), he begs the lady of his love to name her day. Three years ago they were pledged to each other; he could have made her Lady Bacon then, or at any time since then; but he has hoped to give to his bride a more settled fortune and a more illustrious name. Renown beyond the dreams of woman he can give her. Nor is he poor in those worldly gifts which girls are taught to covet even more than character and fame. Besides the grants bestowed upon him by Elizabeth, the reversion in the Star Chamber (not yet fallen in), and the leases of Cheltenham and Charlton Kings, of the Pitts and Twickenham May 6.

20. Bacon to Egerton, Tanner MSS. 251, fol. 38 b; Rawley's Resuscitatio, 41; Domestic Papers, James I., xix. 33; Heath's Preface, Bacon's Works, vii. 576.

VII. 20. 1606. May. Park, the death of poor Anthony (dead of the vices and excesses caught from his noble friend) has given him Gorhambury and the lands about it, where he now lives when not at Gray's Inn, and where, in after years, he will build Verulam House by the pond, taking his house, as he says, to the water, when the water will no longer flow to his house. More than all, the patent of Solicitor-General may be now sealed to him any day or week, a post of not less value than three or four thousand pounds a-year; with openings to higher office and greater pay, to the Privy Council, the Peerage, and the Seals. He is rich, too, in genius and in noble friends. If Cecil plays with him fast and loose, the Lord Chancellor pushes his fortunes at the bar, and Lady Egerton smooths his suit with the young beauty and with her domineering kin. Sir John is in high spirits. True, the bill to exempt the four shires from Lord Zouch's jurisdiction has been dropped by the Lords; but the King has assured Sir Herbert Crofts with his own lips that right shall be done; and the loyal country gentleman believes that when a prince promises to do right he will of course maintain his word.

The day is named; the tenth of May.

May 10. 21. By help of Sir Dudley Carleton we may look upon the pleasant scene, upon the pretty bride, the jovial knight, the romping girls, and the merry company, as through a glass. Feathers and lace light up the rooms in the Strand. Cecil has been warmly urged to come over from Salisbury House. Three of his gentlemen, Sir Walter Cope, Sir Baptist Hicks, and Sir Hugh Beeston, hard drinkers and men about town, strut over in his stead, flaunting in their

21. Carleton to Chamberlain, May 11, 1606, S. P. O.; Bacon's Will; Spedding's Bacon, i. 8.

swords and plumes; yet the prodigal bridegroom, sumptuous in his tastes as in his genius, clad in a suit of Genoese velvet, purple from cap to shoe, outbraves them all. The bride, too, is richly dight; her whole dowry seeming to be piled up on her in cloth of silver and ornaments of gold. The wedding rite is performed at St. Marylebone chapel, two miles from the Strand, among the lanes and suburbs winding towards the foot of Hampstead Hill. Who that is blessed with any share of sympathy or poetry cannot see how that glad and shining party ride to the rural church on that sunny tenth of May? how the girls will laugh and Sir John will joke, as they wind through lanes now white with thorn and the bloom of pears; how the bridesmaids scatter rosemary and the groomsmen struggle for the kiss? Who cannot imagine that dinner in the Strand, though the hunchback Earl of Salisbury has not come over to Sir John's lodging to taste the cheer or kiss the bride? We know that the wit is good, for Bacon is there; we may trust Sir John for the quality of his wine. VII. 21. — 1606. May 10.

Alice brings to her husband two hundred and twenty pounds a-year, with a further claim, on her mother's death, of one hundred and forty pounds a-year. As Lady Pakington long outlived Bacon, that increase never came into his hands. Two hundred and twenty pounds a-year is his wife's whole fortune. What is not spent in lace and satins for her bridal dress, he allows her to invest for her separate use. From his own estate he settles on her five hundred pounds a-year.

Now, in what sense can a marriage in which there seems to be a good deal of love, and in which there certainly is no great flush of money, be called, on Bacon's side, a mercenary match?

VII. 22. — 1606. June. July 4. Oct.

22. A slight more galling than has yet been put on him awaits the close of his honeymoon. Only a few days after his marriage to Alice, Sir Francis Gawdy of the Common Pleas, stricken with apoplexy, is removed from his chambers at Serjeants' Inn to Easton Hall, where he soon after dies. Coke goes up to the bench, and Doderidge, the Solicitor-General, ought by the custom of the law to follow Coke, leaving the post of Solicitor void. But Sir Francis Gawdy having been a partizan of the Essex faction, and his daughter married to the son of Lady Rich, Cecil, either anxious not to offend that powerful faction, which he has made his own by a double contract of marriage, or doubtful of his cousin's subserviency in office, sets aside the usual order of promotion at the bar, and raises Sir Henry Hobart, his obscure Attorney of the Court of Wards, over Doderidge's as well as over Bacon's head, to the high place of Attorney-General. Bacon complains to Egerton and Cecil of the insult even more than the wrong of such a trick. The Lord Chancellor, who sees the error made by the government in alienating the most powerful man in the House of Commons, proposes to heal the wound by asking Sir John Doderidge to yield his patent to Bacon, taking in exchange the place of King's Serjeant, together with a promise of the first seat that shall fall vacant in the King's Bench. To this Sir John and Cecil both object.

Nov.

23. When Parliament meets in November to discuss the Bill of Union, Bacon stands back. The King has chosen

22. Foss's Judges of England, vi. 158, 306, 329; Chron. Jurid. 181; Montagu, v. 297; Council Reg., Oct. 14, 1606.

23. Carleton to Chamberlain, Dec. 18, 1606, S. P. O.; Foster to Mathews, Feb. 16, 1607, S. P. O.; Com. Jour., i. 314, 333; Lane's Reports in the Court of Exchequer, 22, 31; M'Crie's Life of Melville, ii. 234.

his Attorney; let the new Attorney fight the King's battle. The adversaries to be met are bold and many. During the recess Cecil has imposed on the country a Book of Rates, pretending that taxes may be lawfully laid in the King's ports at the King's pleasure. John Bates, a merchant trading with Venice, resisting a tax unsanctioned by the House of Commons, has been condemned in the Court of Exchequer; but this condemnation of Bates rousing a nation of taxpayers, from every port into which ships can float come protests against Sir Thomas Fleming's reading of the law. Beyond the Tweed, too, people are mutinous to the point of war; for the countrymen of Andrew Melville begin to suspect the King of a design against the Kirk, and Melville himself, lured by a false pretence from St. Andrew's to London, has been provoked into an indiscretion, and clapped in the Tower. VII. 23. — 1606. Nov.

Under such crosses, the Bill on Union fares but ill. Fuller, the bilious representative of London, flies at the Scots. The Scots in London are in the highest degree unpopular. Lax in morals and in taste, they will take the highest place at table, they will drink out of anybody's can, they will kiss the hostess or her buxom maid without saying "By your leave." Brawls fret the taverns which they haunt; pasquins hiss against them from the stage. Such broils distract the poor King, who sees no way to put them down save by commanding Popham to whip and pillory the rogues who beat his countrymen and friends. Three great poets, Jonson, Chapman, and Marston, go to jail for a harmless jest against these Scots. Such acts of rigour make the name of Union hateful to the public ear.

Hobart goes to the wall. James now sees that the battle is not to the weak nor the race to the slow. Bacon has only Dec.

VII. 23. to hold his tongue and make his terms. Alarmed lest
— the Bill of Union may be rejected by an overwhelming
1606. vote, Cecil suddenly adjourns the House. He must get
Dec. strength. The plan proposed by Egerton for making Doderidge a King's Serjeant, Bacon the Solicitor-General, is revived. Pressed on all sides, here by the Lord Chancellor, there by a mutinous House of Commons, Cecil at length yields to his cousin's claim, Sir John Doderidge bows his neck, and when Parliament meets after the Christmas holidays Bacon holds in his pocket a written engagement for the Solicitor's place.

1607. 24. The Bill of Union, drawn by Egerton, consists of
Feb. 14. four parts: hostile laws, border laws, laws of commerce, laws of navigation. Three of these parts present no difficulties to the House of Commons. Statutes which forbid a Scot to pass the Tweed, which fill the dales of Ettrick and Yarrow with feud and slaughter, which prohibit the sale of English wool in Scotland and of Scottish furs in England, find no advocates. All the old barbarous laws are at once annulled. But the knights and burgesses resist the King's design of naturalizing the whole Scottish population.

Nicholas Fuller reopens the debate. A union of these two countries, says the uncivil member for London, would be a marriage of the rich with the poor, the strong with the weak. With the pardonable pride of a London burgess he points to the arts, the industry, and wealth of England, to its orchards swelling with fruit, its pastures fat with kine, its waters white with sails, to its thriving people, abundant agriculture, inexhaustible fisheries, woods, and mines. With all these riches he contrasts a land of crags and storms, peopled by a race of men rude as their climate, poor in resources

24. Com. Jour., i. 333-337; Lords' Jour., ii. 469, 472; Statutes, 4 Jac. c. 1.

and in genius, a nation with pedlars for merchants, and two or three rotten hoys for a fleet. Such countries, he contends, are best apart. What man in his senses, having two estates divided by a hedge, one fruitful, one waste, will break down his fence and let the cattle stray from the waste into garden and corn-field? Will any one mingle two swarms of bees? why then two hostile swarms of men? England is bare as the land round Bethel; so that nature and God call out to separate the nations, as Lot chose the left hand, Abraham the right. He denies that the King's accession has changed the relations of the Saxon to the Scot: and sits down with demanding whether, if Mary had borne a son to Philip, that son being heir to his father's crowns, an English Parliament would have naturalized the people of Sicily and Spain? VII. 24. — 1607. Feb. 14.

25. The speech makes a deep impression. Fuller speaks to men convinced; men sore from daily wrongs and insults. Bacon, rising to reply, begins with that shower of image and illustration which his experience tells him is never lost on a learned and poetic House. He begs his hearers to forget all private feuds, to raise their minds to questions of the highest state; not as merchants dealing with mean affairs, but as judges and kings charged with the weal of empires. Glancing in scorn at Fuller, he passes with his light laugh the moral of that tale of Abraham and Lot, a parting cursed with a cruel war and a long captivity, to his illustration of the fence. The King, Bacon says, threw down the fence when he crossed the Tweed; yet the flock of Scots has not yet followed through the rent. Proud and lavish, doting on dress and show, the Scottish gentle- Feb. 17.

25. Speech by Sir Francis Bacon in the House of Commons concerning the Naturalization of the Scots, 1641; Wilson, 37.

VII. 25. — 1607. Feb. 17.

man will rather starve at home than betray his poverty abroad. The Roman commons fought for the right to name Plebeian consuls, and, when they had won the right, voted for Patricians: so with the Scots: they claim the privilege of coming into England; yield the right, and they will not come. It is said the land is full. London, he grants, is thronged and swollen: not the open downs and plains. France counts more people to the mile. Flanders, Italy, Germany exceed us in population. Are there no English towns decayed? Are there no ancient cities heaps of stones? Why, marsh grows on the pasture, pasture on the plough-land. Wastes increase; the soil cries loud for hands to sow the corn and reap the harvest. But this bill for naturalizing the Scots stands on a far higher ground. A people, warlike as the Romans and as ourselves, a race of men who, like wild horses, are hard to control because lusty with blood and youth, offer to be one people with us, friends in the day of peace, allies in the day of strife. Take from the Scots this brand of aliens, they will stand by our side, bulwarks and defenders against the world. Should you shut them out from England, treating them as strangers and enemies, they may prove to you what the Pisans proved to Florence, the Latins to Rome. In our ancient wars the invader found the gates of our kingdom open. France could enter through Scotland, Spain through Ireland. Pass this bill, we close our gates. No minor argument deserves a thought. Union is strength, union is defence. You object that the Scots are poor. Are not strong limbs better than riches? Has not Solon told us the man of iron is master of the man of gold? Does not Macchiavelli pour his scorn at the false proverb which makes money the sinews of war? The true sinews of war are the sinews of valiant men.

Leave, gentlemen, to the Spaniards, the delusion that a heap of gold, filched from a feeble race, can give the dominion of the world. If union with the Scots will not bring riches to our doors, it will bring safety to our frontiers, will give us strength at sea and reserves on land. Alone we have borne our flag aloft; with Scotland united in arms, with Ireland settled and at peace, with our war fleets on every sea, our merchants in every port, we shall become the first power in the world. Warmed with such glorious hopes, how can the gentleman of England stand upon terms and audits—upon mine and thine—upon he knows not what! VII. 25. — 1607. Feb.

26. The House rings with applause. Cecil sends a copy of this speech to James; and in the midst of his trials, it is some pleasure to the poor pedant to see what splendid things a practical statesman and philosopher can say for his favourite scheme.

If the Union is postponed until another generation, its eloquent advocate gains his place.

Lord Campbell assumes that Egerton's plan for Bacon's promotion failed, and that he rose into office through the changes on Popham's death. These are mistakes. Fleming succeeds Popham, Tanfield succeeds Fleming, and Hobart remains Attorney. To create a vacancy, Doderidge has to take the coif, when Bacon's commission as the King's Solicitor-General immediately passes the Seal. June 25.

26. Cecil to Lake, April 16, 1607, S. P. O.; Chron. Jurid., 183.

CHAPTER VIII.

SOLICITOR-GENERAL.

VIII. 1. 1. On the twenty-fifth of June, 1607, at the age of forty-six years and five months, Bacon entered office. During the six years which he acted as Solicitor-General, Lord Campbell has found no flaw in his practice—abstinence which is due in part to the circumstance that for these six years, with the unimportant exception of the trial of Lord Sanquhair for murder, Lord Campbell has overlooked every fact in Bacon's life. If there is nothing to relate, there may be nothing to condemn.

1607. June 25.

Yet there is much in the story of these six years—years in which he wrought at the Essays and shaped out the New Philosophy; in which, to his personal disquiet, he resisted the design of Sir John Pakington and his friends to abridge the authority of the Court of Wales; in which, at his personal risk and loss, he aided to plant Virginia and Ulster; in which, against his professional interests, he engaged in many a good fight for popular liberties against the Crown—which men of sense and spirit will wish for the sake of example to keep alive.

1608. April.

2. Cecil is now at his height of fortune. On the sudden, dramatic death of Dorset, the most daring of poets, the most prudent of financiers, Cecil takes the White Staff without parting from his office as premier Secretary of

1. Campbell's Life of Bacon, iii. 56.

2. Eure to Cecil, April 27, 1608, S. P. O.; Chamberlain to Carleton, July 7, 1608; Provisoes between Salisbury and Morral, Dec. 1608, S. P. O.

State. He is now nearly all in all. Except in naval affairs, in which Nottingham's great age and eminence as a sailor forbid all meddling, no department of the public service, home or foreign, trade, police, finances, law, religion, war and peace, escapes the quick eye and controlling hand of the tiny hunchback. Every one serves him, every enterprise enriches him. He builds a new palace at Hatfield, a new Exchange in the Strand. Countesses intrigue for him. His son marries a Howard, his daughter a Clifford. Ambassadors start for Italy, less to see Doges and Grand Dukes than to pick up pictures and statues, bronzes and hangings for his vast establishment at Hatfield Chace. Gardeners travel through France to buy up for him mulberries and vines. Salisbury House on the Thames almost rivals the luxurious villas of the Roman Cardinals in wealth of tapestry, of furniture and plate. Yet under this blaze of worldly success Cecil is the most miserable of men. Friends grudge his rise; his health is broken; the reins which his ambition draws into his hands are beyond the powers of a man to grasp; and the vigour of his frame, wasted by years of voluptuous licence, fails him at a moment when the strain on his faculties is at the full. VIII. 2. 1608. April. May.

3. In this strain of powers no longer fresh, in this solitude of severed friendships, in this misery of broken health, Cecil turns to his hale, bright cousin, not for the companionship he will not give, but for the hints and helps a lawyer has to sell. Bacon does not love him. More than Coke, Cecil has been to him a cross and grief; for while he can fight with his own weapons the coarse and spiteful foe, his gentle heart supplies no armoury of defence against the cold and veiled contempt of his perfidious Aug.

3. Bacon to Cecil, Aug. 24, 1608, S P. O.; Essays, xliv.

VIII. 3. — 1608. Aug.

friend. When this agonized spectre of success invites him to more frequent consultations on affairs, instead of gliding into that kindly and gracious correspondence which is the habit of his pen, he chooses to stand with him on the ceremonial footing of good manners and the duties of his place. While writing notes of business like the following, Bacon may have in mind the day, not long ago, when the Earl of Salisbury declined to cross the Strand to taste the hypocras and kiss the bride:

BACON TO SALISBURY.

Aug. 24. This Wednesday, the 24th of Aug. 1608.

IT MAY PLEASE YOUR LORDSHIP,

I had cast not to fail to attend your Lordship to-morrow, which was the day your Lordship had appointed for your being at London; but having this day about noon received knowledge of your being at Kensington, and that it had pleased your Lordship to send for me to dine with you as this day, I made what diligence I could to return from Gorhambury; and though I came time enough to have waited on your Lordship this evening, yet, your Lordship being in so good a place to refresh yourself, and though it please your Lordship to use me as a kinsman, yet I cannot leave behind me the shape of a Solicitor. I thought it better manners to stay till to-morrow, what time I will wait on you. And at all times rest, your Lordship's most humble and bounden,

F. BACON.

To the last hour of Cecil's life, Bacon keeps this ceremonial style. No kindness flows between the cousins; they talk of business, not of love; and when Cecil passes to his rest, a new edition of the Essays, under cover of a

treatise on Deformity, paints in true and bold lines, but without one harsh touch, the genius of the man. VIII. 3. 1608.

4. The feud of the four shires is again ablaze. Sir John Pakington has found that the King's promise to do right has borne no fruit for him or for his friends sweeter than the sour crabs of his own orchard. Lord Zouch is gone, and Lord Eure, with a new set of standing orders, reigns in his stead; yet the Court of Wales, under this new President, is no less warm to maintain its right than under the old. Indeed, in the belief of wise and practical men, the time has not arrived for either abolishing the court or interfering with its powers. Nov.

This Court of Wales and the Welsh Border, like the more important Court of the North, was erected as a defence against Papist missionaries and Papist plots. The gentry of Wales and of the Border shires were mainly Roman Catholic; and every villain who in Elizabeth's time disturbed the public peace, and brought shame or punishment on the members of the Roman Church, reckoned on the aid of an army of fighting and fanatical Sir Hughs. The Court of Wales kept them under. The poor, who wished to smelt the iron-ore, to feed their sheep, to dredge their streams for pearls, and net their bays for fish, in peace, blessed it for this boon, and not for this alone; for this royal Court gave them such cheap and speedy justice as could not be obtained in counties governed by the ordinary courts under the common law. If prompt and stern, its rule was national in spirit, popular in aim. The abuses which crept in a few years later, and which caused its fall, were of a kind unknown in the days of Elizabeth, and only just beginning

4. Cott. MSS. Vit., c. 1; Dom. Papers of James the First, xxviii. 48, xxxii. 13, 14, S. P. O.; Heath's Preface, Bacon's Works, vii. 584.

VIII. 4. 1608. Nov. to be known in the days of James. Charles the First gave a new aim to the Court, perverting the power created by Henry and fostered by Elizabeth as a defence of the national sentiment and national faith, into instruments of attack upon them; then, indeed, but not till then, the Court of Wales fell under public odium, and was swept away in the revolutionary storm. But the men who destroyed it under Charles were not the men who complained of it under James. The Crofts, Hoptons, Pakingtons, Sandys, Lees, Sheldons, Blounts, and Corbets who contested the authority of Lord Eure, were afterwards no less hot on the other side, voting and fighting against popular rights under Charles.

5. To Sir John, and to country gentlemen like Sir John, the Court of Wales is not so much a national grievance as a personal offence. It takes from his place and dignity; and he instructs his under-sheriff to refuse obedience to the precepts of such a Court. The gentry of Herefordshire are up in arms; but people in the southern and middle shires suspect, as proves to be the fact ere long, that these loud cries against the Court of Wales come mainly from a wish on the part of a few magistrates to get rid of a popular and successful local power which curbs for the common good their private feuds, and keeps a bright eye on the movements of their missionary priests. Many of those who cry loudest against the Court are said to find reasons for their discontent in the commands of their confessors. Most of them are Papists, open or concealed. Sir Herbert Crofts, long passing for a firm Protestant, has within the year avowed himself a convert to the

5. Eure to Salisbury, Jan. 26, 1608, S. P. O.; Eure to Pakington, Jan. 3, 1608, S. P. O.; Pakington to Eure, Jan. 17, 1608, S. P. O.; Council Reg., Nov. 2, 1613.

Church of Rome. Sir John adheres to the Church, but his near kinsman, Humphrey Pakington, is an active and dangerous recusant, whose name is constantly before the Privy Council. Lord Eure complains to Sir John. Sir John flatly refuses to obey his precepts. Eure writes to Lord Salisbury that his powers must be preserved in full, or he shall feel it a duty to resign his place. VIII. 5. 1608. Nov.

6. Cecil consults Bacon, now become chief adviser of the Crown in all affairs of law, and finds his opinion on the jurisdiction of the Court of Wales, as in most things, the reverse of that pronounced by Coke. Coke is against Eure. A dry, stiff formalist, wanting the warmth of heart, the large round of sympathies which enable his illustrious rival at the bar to see into political questions with the eyes of a poet and a statesman, Coke can only treat a constituted court as a thing of words, dates, readings, and decisions; not as a living fact in close relation to other living facts, and having in itself the germs of growth and change. A point of law is taken for debate before the judges, when Bacon appears in opposition to Sir John and his friends, and pronounces that argument on The Jurisdiction of the Marches which is printed in his works. After this hearing a proclamation from the King announces the confirmed authority of the Court of Wales; but the magistrates of the four shires continue their opposition, and the case drags on for nine or ten years, until these magistrates drop the agitation in presence of more solemn facts.

7. In no History of America, in no Life of Bacon, have I found one word to connect him with the plantation of that 1609. May 23.

6. Dom. Papers James the First, xxxvii. 53, 54, 56, S. P. O.; Bacon's Works, vii. 587; Proclamation for the Continuance of the Authority and Jurisdiction of the Presidencies of the North and of Wales [Nov. 1608].

7. Virginia Charter Book, May 23, 1609, S. P. O.

VIII. 7. — 1609. May 23. great Republic. Yet, like Raleigh and Delaware, he takes an active share in the labours, a conspicuous part in the sacrifices, through which the foundations of Virginia and the Carolinas are first laid.

Like men of far less note, who have received far higher honours in America, Bacon pays his money into the great Company, and takes office in its management as one of the Council. To his other glories, therefore, must be added that of a Founder of New States.

8. The causes which lead Bacon, with most of his parliamentary and patriotic colleagues, to join the Virginia Company with person and purse, are the same causes which move him to fight for the Union and the Subsidies. The plantation of Virginia is a branch of the great contest with Spain.

England and Spain have long been rivals in plantation and discovery. Neither may claim for itself the wide continents of America by the happy exercise of native genius; for while a Genoese gave the south to Spain, a Venetian conferred the north on England. Frobisher and Gilbert followed in the wake of Cabot, though in a different spirit and working to another end. Inflamed by tales of the Incas' shining palaces, Frobisher went forth in search of mines and gold; Gilbert, who revived the spirit of the Great Discoverer, sailed to the far west and gallantly gave his life, not for the rewards of wealth and fame, but solely in the hope of extending English power and of converting souls to God. When he sank in the Golden Hind he left these tasks to his young half-brother,

8. Fernando Gorges' Brief Relation, 3, 10; Charters of Virginia, April 10, 1606, Mar. 9, 1607, May 23, 1609, S. P. O.

Sir Walter Raleigh, who lived to be the true Founder of the United States. VIII. 8.

1609. May 23.

Raleigh, trained to politics under the eyes of Elizabeth, saw that the battle-field of the two maritime powers lay in the waters and along the shores of the New World. Europe was peopled. But the prairie and the savannah, the forest and the lake of America were virgin fields, the homes of an expanding race, the seats of a mighty empire in the time to come. Who shall occupy this splendid scene? Shall the New World become mainly English or mainly Spanish? Shall the original type and seed of her institutions be a Free Press or a Holy Office? Such questions throb and thrill in the veins of Englishmen of every rank.

9. They answer with one voice. While the Queen lived and Raleigh was free to spend his genius and his fortune on the work of discovery and plantation, it never flagged. But when James came in, and, with his dread of heroism and adventure, flung the explorer of Guiana, the founder of Virginia, into the Tower, as a first step towards receiving the Spanish ambassador Velasco with proposals for a shameful peace, the old English spirit appeared to droop. Velasco for a time said little of Virginia, for the fires of the Armada and of Nieuport burned in many hearts; but Lerma, in his letters to the King, reserved an exclusive right of the Spanish crown, based on a Papal bull, to all the soil of the New World from Canada to Cape Horn. When his agents in London found their season they made this claim; when his admirals in the

9. Smith's History, 88, 90; Nova Britannia, 1609; Jourdan's Discovery of the Barmudas, otherwise called the Isle of Divels, by Sir T. Gates, Sir G. Sommers, and Captain Newport, with divers others, 1610.

VIII. 9. 1609. May 23. Gulf of Mexico felt their strength they chased the English from those seas as pirates. If the Spanish cruisers caught an English crew, they either slung them to the yard-arm or sent them prisoners to Spain.

Ruled by a corporation of adventurers, tormented by these Spanish cruisers, unprotected by the royal fleets, the settlement on the James River falls to grief. A man of genius, Captain John Smith, more than once snatches it from the jaws of death. But the planters fight among themselves, depose Smith from power, and send back nothing to the Company save miserable complaints and heaps of glittering dust. The colony is on the verge of failure, when a threat from Spain to descend on the Chesapeake shoots new life into the drooping cause. All generous spirits rush to the defence of Virginia. Bacon joins the Company with purse and voice. Montgomery, Pembroke, and Southampton, the noble friends of Shakespeare, join it. Nor is the Church less zealous. The ardent Abbott, the learned Hackluyt, lend their names. Money pours in. A fleet, commanded by Gates and Somers, sails from the Thames, to meet on its voyage at sea those singular and poetic storms and trials which add the Bermudas to our empire and The Tempest to our literature.

10. One hundred and seventy-five years after Walter Raleigh laid down his life in Palace Yard for America, his illustrious blood paid for by Gondomar in Spanish gold, the citizens of Carolina, framing for themselves a free constitution, remembered the man to whose genius they owed their existence as a state. They called the capital of their country Raleigh. The United States can also claim among

10. Statutes of North Carolina, c. xiv.

their muster-roll of Founders the not less noble name of Francis Bacon. Will the day come, when, dropping such feeble names as Troy and Syracuse, the people of the Great Republic will give the august and immortal name of Bacon to one of their splendid cities? VIII. 10. 1609. May 23.

11. The session of 1610 shows Bacon in a characteristic scene. Bound by the traditions of his place to support the King's measures in the House of Commons, when the session opens, with a freedom which surprises the King's friends, and which Coke and Doderidge have never dared to take, he both speaks and votes against the superior law-officers of the Crown. 1610. April.

The List of Grievances has at length been shaped into a proposition, and laid before the House. This Great Contract, as the people call it, offers to buy from the Crown, either for a fixed sum of money to be paid down or for a yearly rental, certain rights and dues inherited by the King from feudal times, which the change of manners and the refinements of society have made abominable to rich and educated men. Escutage, Knight-service, Wardship of the body, Marriage of heirs and of widows, Respite of homage, Premier seizin, every knight and squire in the land longs to suppress, as things which yield the King an uncertain income, but cover themselves with a certain shame. A group of feudal tenures which concern the dignity of the Crown, such as Serjeantry, Homage, Fealty, Wardship of land, and Livery, they propose to modify, so as to satisfy just complaints while preserving to the King all services of honour and ceremonial rite. Aids to the King they limit in amount; suits, heriots, and escheats they leave untouched; monopolies for the sale of

11. Add. MSS., 11, 695; Lords' Journals, ii. 574.

VIII. 11. 1610. wines, for the licensing of inns, for the importation of coal, they abrogate. In lieu of these reliefs, they offer the King one hundred thousand pounds a year.

April. 12. At first James will not listen. The terms of such a contract touch, he says, his honour. These privileges may be of no moment to the Crown; to part with them may neither lower its dignity nor abate its pride; yet why should he be asked to part with them? Elizabeth had them. All the Plantagenets, all the Tudors had them. Why should the first of the Stuarts strip his Crown of privileges held by his predecessors for five hundred years? But James is not true to his own folly. To resist a sale of the rags and dust of feudal power, if done on the ground of conscience, would to many seem respectable, to some heroic; but the offer of a hundred thousand pounds a year tempts a man dogged by duns to compromise with his sense of right. He lends his ear; he hints his willingness to treat. Will the Commons give a little more? Will they take a little less? If so, he will hear them; if not, not. Cecil asks Fleming and Coke to declare whether James can lawfully sell the burthens on tenures, yet preserve to his Crown the tenures themselves.

13. The chance of hurting Bacon, who pleads in office, as he always spoke when out of office, for the full surrender of these feudal dues, is too much for Coke. Their feud has, indeed, grown fiercer as they have grown in years, flashing out even in the courts of law. "The less you speak of your own greatness," says Bacon in open court, "the more I shall think of it, and the more, the less." As Bacon contends that a sale of the burthens on tenures is in fact a

12. Add. MSS., 11, 695; Com. Jour., i. 419, 420.
13. Spedding's Bacon, vii. 177; Add. MSS., 11, 695.

sale of the tenures; Coke answers Cecil that the King may, if it shall please him, sell the burthens, yet keep the tenures intact. James therefore sends to tell the Commons that he will sell to them for six hundred thousand pounds paid down, and a rental of two hundred thousand pounds a year, his rights of marriage, wardship, premier seizin, respite of homage and reliefs. VIII. 13. — 1610. April.

14. In these debates, the Solicitor-General, brushing away the distinctions of Coke and Fleming, urges on the House of Commons and on the Crown the wisdom of abolishing these feudal tenures both in name and fact. Tenures in capite and by knight-service, he says, have lost their virtue. When the Sovereign summoned his liegemen to the field, Reason might have cried—Hold fast all tenures which augment the national force! But the King no longer leads his armies in the field or calls his vassals round his flag; war has grown into a science, arms into a profession; if an enemy should appear at Dover or Berwick, no man would now wait for the King's tenant to strike. In the musters for defence, holders in soccage stand foot to foot with holders by knight-service. In feudal ages the tenures meant defence; but the usage and the idea has alike gone by; and tenures no longer represent either force, honour, or obedience.

15. Bacon pleads so well that after warm debates the King consents to reduce his demands, the House of Commons to raise their price. The two powers draw nearer to each other, and a happy resolution seems about to cleanse away some of the very worst abuses of the feudal state. July 23.

14. Bacon's Speech, April, 1610; Lords' Jour., ii. 580.

15. King's Proclamation, Dec. 31, 1610; Add. MSS., 11, 695; Lords' Jour., ii. 666-86; Statutes of the Realm, iv. 1207.

VIII. 15. For two hundred thousand pounds a year the Crown agrees to renounce for ever these feudal rights.

1610. July 23. How this Great Contract comes to an abrupt and ignominious end, how King and Commons wrangle over the Book of Rates, and how a session that began so prosperously closes in open strife between the people and their prince, not a single bill receiving the royal signature, all this, though full of constitutional, and even of romantic interest, is a tale for the historian of England, not for the critic of Bacon's life.

1612. May. 16. So long as his kinsman Cecil lives, Bacon sees no hope of rising in the world. In May, 1612, the Earl of Salisbury, Lord Treasurer of England, premier Secretary of State, and Master of the Court of Wards, worn out by fag of brain not less than by disease of blood, dies, and a burst of gladness breaks over court and country at the news. His companions of the Privy Council traduce his fame, his tenants at Hatfield attack his park. Of all men living, the cousin he so deeply hurt is the least unjust. In an edition of the Essays, now in the press, Bacon paints him to the life: every one knows the portrait; yet no one can pronounce this picture of a small shrewd man of the world, a clerk in soul, without a spark of fire, a dash of generosity in his nature, unfair or even unkind. The spirit of it runs in a famous anecdote. "Now tell me truly," says the King, "what think you of your cousin that is gone?" "Sir," answers Bacon, "since your Majesty charges me, I'll give you such a character of him as if I were to write his story. I do think he was no fit councillor to make your affairs better. But yet he was fit to have kept them from growing worse."

16. Bacon's Essays, xliv.; Apophthegms, Works, vii. 175.

"On my so'l, man!" says James, "in the first thou speakest like a true man, in the second like a kinsman." VIII. 16.

17. From the day of Cecil's death his prospects, clouded till now, begin to clear. If promotion pauses, it is only because the crowds of suitors perplex the King. Carr and Northampton claim the Treasurer's staff. Everybody begs the Court of Wards and Liveries. Sir Thomas Lake, Sir Henry Wotton, Sir Ralph Winwood, Sir Henry Neville, each aspires to the rank of Secretary of State. The patriots put up Bacon's name for this great office, and shrewd observers fancy him nigh success. Poor James, unable to decide, hankering, though afraid, to make Carr his chief minister, puts the Treasury into commission for six months, gives the Wards to Carew, and startles the gossips of Whitehall by announcing that, instead of employing either Bacon or Wotton, Winwood or Lake, he means for the future to be his own Secretary of State. 1612. May.

18. Carew dying suddenly six months after his nomination, Bacon applies for the Court of Wards. His pay as Solicitor-General is only seventy pounds a-year. Promised for his service to the Crown a place of profit, he points out in a letter to Carr that the Court of Wards is one for a lawyer rather than a courtier to hold. Nov.

BACON TO LORD ROCHESTER.

IT MAY PLEASE YOUR GOOD LORDSHIP, Nov. 14, 1612.

This Mastership of the Wards is like a mist—sometimes it goeth upwards and sometimes it falleth downwards. If it go up to great lords, then it is as it was at the first,—

17. Chamberlain to Carleton, Nov. 26, 1612, S. P. O.

18. Bacon to Carr, Nov. 14, 1612, S. P. O.; Lake to Carleton, Nov. 19, 1612, Venetian MSS., S. P. O.

VIII. 18. — 1612. Nov. if it fall down to mean men, then it is as it was at the last. But neither of these ways concerns me in particular,—but if it should in a middle region go to lawyers, then I beseech your Lordship have some care of me. The attorney and solicitor are as the King's champions for civil business, and they had need have some place of rest in their eye for their encouragement. The Mastership of the Rolls, which was the ordinary place kept for them, is gone from them. If this place should go to a lawyer, and not to them, their hopes must diminish. Thus I rest, your Lordship's affectionate, to do you humble service,

F. BACON.

He feels so certain of this suit that he orders the new clothes for his servants; yet the suit fails. He wants the Court of Wards and Liveries as a right, and will not buy it. Sir Walter Cope, a man of larger fortunes and smaller scruples, while Bacon alleges service, tells down his money and buys the place. The wags of the Mitre have their laugh. "Sir Walter," they say, "has got the Wards, Sir Francis the Liveries."

1613. Aug. 19. If he sue without success for the Court of Wards, he is constantly consulted or employed in the most weighty, the most delicate business of the Crown. Most conspicuous, perhaps, of the cases which now engage his mind is the old, old story of Irish broils.

Of Ireland itself he never speaks but in words of tenderness and grief. With him the green lustrous island is "a country blessed with almost all the dowries of nature—with rivers, havens, woods, quarries, good soil, temperate climate, and a race and generation of men, valiant, hard,

19. Bacon to Carr, Nov. 14, 1612, S. P. O.

and active, as it is not easy to find such confluence of commodities, if the hand of man did join with the hand of nature; but they severed,—the harp of Ireland is not strung or attuned to concord." More the pity, thinks its generous and sagacious friend! VIII. 19. — 1613. Aug.

20. Sir Arthur Chichester, the wisest, firmest man ever sent from England to rule the Celt,—after driving out the rebels O'Neile and O'Donnel, crushing O'Dogherty and the assassins who ravished and destroyed Derry,—has built a new city on Lough Foyle, garrisoned and calmed Strabane, Ballyshannon, Omagh, and the forts along the lines from Kerry to Inishoan, and peopled with the germs of a new race the wastes of Antrim and Down, of Londonderry and Coleraine. Strong in his genius and in his success, after founding an English state in Ulster on the ruins of the great Celtic insurrection, he calls a Parliament in Dublin to sanction what has been done, and to resume, for the first time in the remembrance of living men, a regular mode of civil and popular government. For seven years he has ruled by the sword. He wishes to lay it down. But blood is hot and feuds run high. The Saxon and the Celt, the Protestant and the Papist, meet in Dublin, less disposed to sit on the same benches and hear each other prate than to pluck out the sharp skean and fly at each other's throats. At the first meeting they fall to blows. One party says Sir John Everard shall be Speaker; the other, Sir John Davis. Everard is in opposition, Davis the Irish Attorney-General; Everard the candidate of the monks, Davis of

20. An Account of the Right Hon. Sir Arthur Chichester, Lord Belfast, Lord Deputy of Ireland; by Sir Faithful Fortescue: with Notes and a Memoir of the Writer by Lord Clermont; 1858. Ellis's Orig. Letters, Third Series, iv. 173.

VIII. 20. — 1613. Aug.

the Crown. Chichester can but follow the Imperial law. Usage good in Westminster must be held good in Dublin. Davis must be Speaker. Indeed, the majority elect him. But a crowd of men summoned from the Bog of Allen, from the banks of Lough Swilly, from the wilds of Sligo and Mayo,—representatives of the MacOiraghtys and Mac Coghlans, of the O'Doghertys, O'Donnels, and O'Concannons,—who have scarcely ever heard of a precedent, have not learned to respect a majority of votes. When the Protestants file into the right lobby, instead of filing into the left the Roman Catholic members seat Everard in the chair. They refuse to move or to be counted like a drove of sheep! Davis, voted into the chair by a majority of twenty-eight, is taken up to his seat by two members, as in the English House of Commons. Everard will not stir. Davis plumps into his lap. In a wild Irish uproar, Everard, caught by the crowd, is thrust out neck and crop. The Celtic members grasp their skeans. If Chichester, wise in time, had not prudently set them in a ring of steel, the members, instead of hearing each other's grievances, would have cut each other's throats. Such a House of Commons is an impracticable instrument for preserving the peace of Ireland, and Chichester dissolves it. On the evening of the row, to show his scorn of such brabbles, the Lord Deputy goes out to play his usual rubber.

21. Everard and his friends come over to complain at Whitehall. They talk of their wrongs. They object to the new boroughs planted by the English; they require that these boroughs shall not be allowed to send representatives to an Irish House of Commons! They whine of

21. Abbot, Aug. 4, 1613, S. P. O.; Add. MSS. 19, 402, fol. 37.

danger to their persons, of a Gunpowder Plot to blow them into the sky. VIII. 21. — 1613. Aug. 13.

The King consults Bacon. Anxious for Parliaments, but aware that Parliaments presuppose habits of order and discussion, respect for opinion, submission to majorities, Bacon gives the King this advice:

BACON TO JAMES.

Aug. 13, 1613.

MAY IT PLEASE YOUR MOST EXCELLENT MAJESTY,

I was at my house in the country what time the commission and instructions for Ireland were drawn by Mr. Attorney, but I was present this day the forenoon, when they were read before my Lords and excepted to, some points whereof use was made, and some alterations followed, but I could not in decency except to so much as I thought there might be cause, lest it might be thought a humour of contradiction or an effect of emulation, which, I thank God, I am not much troubled with, for, so your Majesty's business be well done, whosoever be the instrument, I rest joyful. But because this is a tender piece of service, and that which was well directed by your Majesty's high wisdom may be marred in the manage, and that I have been so happy as to have my poor service in this business of Ireland, which I have minded with all my powers, because I thought your estate laboured, graciously accepted by your sacred Majesty, I do presume to present to your Majesty's remembrance (whom I perceive to be one of the most truly politic princes that ever reigned, and the greatest height of my poor abilities is but to understand you well) some few points in a memorial enclosed which I wish to be changed. They tend to this scope principally, that I think it safest for your Majesty at this time, *hoc*

VIII. 21. — 1613. Aug. 13.

agere, which is to effect that you may hold a parliament in Ireland with sovereignty, concord, contentment, and moderate freedom, and so bind up the wound made without clogging the commission with too many other matters. . . . whereas these instruments are so marshalled as if the grievances were the principal. The grievances which were not commended to these messengers from the party in Ireland, but slept at least a month after their coming hither, and . . . are divers of them of so vulgar a nature as they are complained of both in England and Ireland, and both now and at all times. For your Majesty to give way upon this ground, to so particular an inquiry of all these points, I confess I think is unworthy of majesty, for they are set down like interrogatories in a suit in law. And my fear is they will call up and stir such a number of complaints and petitions, which not being possible to be satisfied, this commission meant for satisfaction will end in murmur. But these things which I write are perhaps but my errors and simplicities. Your Majesty's wisdom must steer and ballast the ship. So most humbly craving pardon, I ever rest your Majesty's most devoted and faithful subject and servant,

FR. BACON.

Government acts on this counsel of maintaining in Dublin a firm and inflexible justice. A Parliament meets within twelve months, the members of which quarrel indeed among themselves, as is only national and natural; but which proves itself as capable of transacting public business as almost any Parliament in Palace Yard. It gives peace to Ireland for thirty years.

For nearly all that is most gracious and noble, most wise and foreseeing in the Irish policy of the Crown in this

reign, thanks are due, next after Arthur Chichester, to Francis Bacon. Yet Lord Campbell, a statesman and a lawyer, has not one word on this theme! VIII. 21. — 1613.

22. Two years of fag and moil cure James of his ambition to be thought the best scribe in Christendom. Dissolving the commission of the Treasury, he gives the Staff to Northampton. He brings Winwood forward as Secretary of State; but ere passing his commission under the Seal, James raises his great competitor for that post a step in his profession; Coke going up to the King's Bench, Hobart to the Common Pleas, and Bacon to the Attorney's place. Coke huffs at the King's Bench, a court of higher dignity than the Common Pleas, but of fewer fees. James has to interfere. "This is all your doing, Mr. Attorney," says the irascible Lord Chief Justice; "it is you that have made this great stir." With the light laugh that has so often maddened Coke, he answers, "Your lordship all this while hath grown in breadth; you must needs now grow in height, or you will be a monster." Oct. 27.

23. Lord Campbell sees in these promotions, not the natural changes brought about by time, such as every year occur at the bar, but a mean trick, a court intrigue, an affair of secret letters, of back-stairs interest, in short, a dodge and a cheat! To this reading of events may be opposed the judgments of those among Bacon's contempo- Nov.

22. Chamberlain to Carleton, Oct. 14, 27, 1614, S. P. O.; Grant Book, 102; Bacon's Apophthegms in Resuscitatio, 38.

23. Mem. of Burgesses chosen for more than one place, April, 1614, S. P. O. Bacon's biographers have been misled about his seat in 1614 by an erroneous conjecture of Willis (Not. Parl., iii. 173). There is a list of the Parliament of 1614 among the valuable MSS. at Kimbolton Castle, for which, as for many other courtesies, I am indebted to the obliging friendship of his Grace the Duke of Manchester.

VIII. 23. — 1614. Mar.

raries who know him best, the electors of the University of Cambridge, the members of the House of Commons. Their judgments, happily for us, are given in a very conspicuous and decisive way.

Bacon's first advice to the Crown in his new office is to abandon its irregular, unproductive methods of raising funds, inventions of the Meercrafts and Overreaches of the court; to call a new Parliament to Westminster, to explain frankly the political situation, and to trust the nation for supplies. The advice, though hotly opposed by Northampton and the whole gang of Spanish pensioners, men paid to provoke hostility between the Commons and the Crown, so far prevails that writs go down into the country. For thirteen years Bacon has represented Ipswich in the House of Commons. Ipswich clings to him with the love of a bride. But Cambridge, a more splendid and gracious constituency, claims him for its own. In the ambition of a public man there is nothing more pure than the wish to represent in Parliament the University at which he has been trained; nor is there for the scholar and the writer any reward more lofty than the confidence implied in the votes of a great constituency of scholars and gentlemen. In Bacon's case there are peculiar obstacles. He left Cambridge early and in disdain; he has kept no friendly intercourse with its dons; the business of his intellectual life has been to destroy the grounds on which its system of instruction stands. Yet the members of the University feel that as a writer and a philosopher he is not only the most brilliant Cambridge man alive, but the most brilliant Englishman who ever lived. They elect him.

The burgesses of Ipswich also elect him. The burgesses of St. Albans also elect him. Such a return is unprecedented in parliamentary annals. Only the most popular

and patriotic candidates are rewarded in this Parliament by double returns. Sandes is elected for Hendon and Rochester, Whitelocke for Woodstock and Corffe Castle. No one save the new Attorney-General can boast of a triple return. VIII. 23. — 1614. Mar.

Of course he sits for Cambridge; a fact, overlooked by his biographers from Rawley to Lord Campbell, which connects his fame in a gentle and gracious form with the political history of Cambridge.

24. Nor is this gracious confidence of his University the most striking proof of popularity which he now receives. When the Houses meet in April, a whisper buzzes round the benches that the elections for Cambridge, Ipswich, and St. Albans are null and void. No man holding the office of Attorney-General has ever been elected to serve in Parliament: and some of the members seem resolved that so powerful an officer of the Crown never ought to sit, and never shall sit, in that House. The Attorney-General is the Crown trier; he sets the law in motion; he gathers the evidence, weighs the words, sifts the facts for prosecution. Unless scrupulous beyond the virtue of man, such an officer, hearing everything, noting everything, forgetting nothing, may become, in a House of Commons bent on free speech as its sacred right, the worst of inquisitors and tyrants. He shall not sit. Yet, notwithstanding their jealousy of power, the representative gentlemen of England have no heart to put the wisest and best among them to the door. They seek for precedents, that he may sit. No case is on the rolls. An Attorney-General, chosen after his nomination, cannot sit by precedent. What then? They waive their right. They take him as he is. Crown lawyer or not April.

24. Chamberlain to Carleton, April 14, 1614, S. P. O.; Com. Jour., i. 456; Statutes of the Realm, iv. 1207.

VIII. 24. 1614. April. Crown lawyer, he is Sir Francis Bacon. As Sir Francis Bacon he shall sit. But the case shall stand alone. This tribute paid to personal merit and public service must not be drawn, say the applauding members, into a precedent dangerous to their franchise. He is the first to sit, he must be the last.

That an exception in favour of the new Attorney-General should have been made by men so hostile to the court that they broke up at last without passing a single bill which the Crown could assent to, is most strange. The results are yet more strange. As if to witness to the latest generations the profound estimation in which Bacon was held by a House of Commons which had known him closely for thirty years, and which had seen him vote and act under every form of temptation that can test the virtue and tax the genius of a public man, this exception, made in his favour solely, became the rule for his successors and for succeeding times. Once only has the restriction been referred to in the House. That was in the case of his immediate successor. Since his time the presence of the Attorney-General among the representatives of the people has been constant. This fact suggests not only that a change has taken place in public thought, but that the character of the Crown official has undergone a change. Such is the truth. Before Bacon's day the Attorney-General was the personal servant of the prince: from Bacon's day he has been the servant of the State. Bacon was the first of a new order of public men. The fact is scarcely less creditable to his political purity than the composition of the Novum Organum is glorious to his intellectual powers. Bad men kill great offices. Good men found them.

CHAPTER IX.

IX. 1.

1614. Oct. 11.

ST. JOHN AND PEACHAM.

1. If Lord Campbell has not one word to say on Bacon's part in the plantation of Virginia, in the regeneration of Ulster, he has room for page after page of statement, more or less false in fact, wholly false in spirit, on the examination into the contempt of Oliver St. John, and on the trial for libel of Edmond Peacham.

Happy the great lawyer who in passionate times can give up office with no worse recollection on his soul than having conducted two such cases for the Crown!

2. First of Oliver St. John. In the session of 1614, as in every session when he was out of office, Bacon puts his strength to the supplies. The day which he has so long feared has come; the Papal powers, united over the corpse of Henri Quatre, have formed their league; Spinola's Pandours and Walloons are crushing out the free, industrial, and religious life of the Lower Rhine. A dozen cities lift their hands for help. Battalions clash down the passes of the Alps and the Pyrenees, armadas ride in the roads of Sicily and in the bays of Spain. The English fleet is rotting in port. Only ten or twelve ships are in commission; four in the Thames or the Downs, one or two at Portsmouth and Plymouth, four in the Irish seas. The Crown is deep in debt. To a man not mad with jealousy of power such a political situation must be intolerable, and it is intolerable

1. Campbell, Life of Bacon, iii. 62-66.
2. St. John to Mayor of Marlborough, Oct. 11, 1614, S. P. O.

IX. 2. to Bacon. But the Puritans are deaf. They fear the King even more than the Roman League. They will not give.

1614. Oct. 11. Unable to procure grants from Parliament, James tries to raise money by a benevolence; when the lords, the bishops and archbishops, come to his aid, bringing cups, rings, and golden angels into the Jewel House of the Tower. All mayors of towns are ordered to receive such gifts as may be offered. No rate is laid; no one is forced to give; at least, so say the officers of the Crown. In loyal shires persuasion may be used to swell the lists; but where the magistrates are not loyal, the benevolence flags. Many of the Puritans, all the Papists, close their hands; those distrusting the court; these wishing well to the foe. The benevolence fares best in the Protestant shires; worst in the Catholic shires. Kent, Surrey, Middlesex, Herts, Berks, Essex, and Norfolk yield an army of subscribers. Sussex sends up only three; Durham, Cumberland, Westmoreland, not one. Now, it is clear that those who oppose a Parliamentary vote may fairly decline to make a free gift. But Oliver St. John, Black Oliver his contemporaries call him from his bilious temper and dark complexion, is not content merely to decline. A man of a stormy and yet slavish spirit, he must denounce this measure of the government by voice and pen. He will not let the people give. In a public letter to the Mayor of Marlborough he declares that the King, in asking his people for a free gift of money, is violating his oath, committing a perjury more gross than that for which more than one English monarch has lost his crown!

Dec. 3. It is impossible for the Privy Council to overlook such

3. Council Reg., Nov. 19, 25, Dec. 4, 9, 1614, Feb. 3, May 31, 1615; Chamberlain to Carleton, Jan. 5, Feb. 9, 1615, S. P. O.; Council to James, Feb. 8, 1615, S. P. O.; Add. MSS. 19, 402.

a contempt. The lawfulness of a Benevolence may be open to debate; no true Englishman can doubt that St. John's letter is in the highest degree scandalous to the King, and in the highest degree injurious to the national force. Lord Campbell (who confounds this Oliver St. John with the famous Lord Chief Justice of the Commonwealth, now a boy of sixteen!) appears to regard St. John as an earlier Hampden. A closer reading of the time would show that he was one of those loud and lying politicians who are the disgrace of every cause. Instead of being the Hampden, Black Oliver was the O'Brien or the O'Connor of his time; though he had neither Smith O'Brien's abilities nor Feargus O'Connor's dash. When the Marlborough bully is cited into the Star Chamber, Coke condemns him to five thousand pounds fine and imprisonment for life. Yet even the Tower, which so often elevates a fool into a martyr, fails to make St. John appear, even to the undiscerning mob, either a wise or a brave man. When the gate of his cell creaks on its hinge he begins to whine and cry. He repents his sally, recants his words. He goes on his knees, he pledges his future fame. He begs, fawns, groans to be let out. Even those who make an idol of every one barred in the Tower turn from this pusillanimous and crouching prisoner in disgust. IX. 3. — 1614. Dec.

4. One of St. John's letters to the King is so amazingly abject as to constitute a curiosity in literature. In England we are not used to such a style of prison supplication, for the men who go wrong generally have the merit of going wrong in good faith, and when called to the martyr's crown wear it as a crown. It may be well to give a passage from this document (now

4. Add. MSS. 19, 402, fol. 62.

IX. 4. — 1614. Dec.

for the first time printed), that the world may note, under his own seal, what kind of hero this Oliver St. John is, whom Lord Campbell mistakes for the great Chief Justice!

OLIVER ST. JOHN TO THE KING.

Most High and Mighty King, my alone virtually and rightfully dread Lord and Sovereign (after God my Maker and my Saviour Jesus Christ), my hearty chief joy, love, slave, and delight!

In all humbleness of soul and spirit showeth unto your sacred Majesty your poor distressed subject and faithful servant, sometimes long close prisoner in the Tower of London; that whereas it graciously pleased your said Majesty, on humble submission and petition, to consider and commiserate the lamentable condition of the poor petitioner, censured in the Star Chamber for a letter written to the Mayor of Marlborough in October 1614, and therewith showed your princely and Royal heart so moved to mercy, that as the then Lord Chancellor said you had out of your admirable and more than kingly benignity and bounty so remitted the same that I had not any more to starve, although my fine, together with my submission, remained on record. . . . But my great and brain-sick offence against your Most Excellent Majesty, my right dear Sovereign (for which phrase at your Highness's feet, my broken heart again and again most humbly and instantly asketh your most gracious pardon), forbidding me your awful presence . . . . on my bended knees, in all humility of heart and spirit, [I] beseech of your great, imperial, and sacred Majesty, first gracious remission and pardon, both of the fault and pain, as also, most gracious King and my dearest liege lord, that you will further be graciously

IX. 4.
1614. Dec.

pleased to show your most admirable goodness and mercy (if it may stand with due order of state policy) in commanding a removal or deleator of the whole record thereof; that so great an ignominy remain not on the name of him who, having been now received your Majesty's sworn servant, is still resolved ever to receive therein that fatal arrow in his breast (with loyal Hugo de St. Clara) than once admit into his heart the least disloyal thought against your sacred person, dignity, or fame; the very least of us whoso shall seek to impeach, let God from Heaven shoot sharp arrows into his heart, that all the King's enemies may fall before him. So prayeth, from his inmost heart,

Your Majesty's humble, faithful, and
obedient vassal,

OLIVER ST. JOHN.

5. Lord Campbell, who brands the conduct of Bacon in officially aiding to silence this impudent and whining demagogue, is more than usually infelicitous in the grounds of his charge. He says that Bacon in his speech against Oliver St. John strenuously defends the raising of money by benevolences. Now, he does no such thing. He never once touches the law of these free gifts. He proves, and proves most clearly, that the particular benevolence denounced by St. John to the Mayor of Marlborough as a violation of the King's oath, has no character of a forced loan. The question tried, if one may say so to a nobleman who has been a Lord Chief Justice and is now a Lord Chancellor, was not one of law, but one of fact—not whether a benevolence was, in the reign of James the First, legal, but whether St. John had been guilty of a

5. State Trials, ii. 899.

IX. 5. — 1614. Dec.

grievous contempt in publishing his letter to the Mayor. The trial of John Bates for refusing to pay the taxes levied by the Book of Rates was a trial of law; the trial of Oliver St. John for calling the King forsworn was a trial of fact. St. John was condemned, not for refusing to subscribe his money, but for publishing a letter in contempt of the Crown.

6. Pass to the case of Peacham: a case which Lord Campbell has taken less pains to understand than even that of St. John. "Fine and imprisonment," he writes, "having no effect in quelling the rising murmurs of the people, it was resolved to make a more dreadful example, and Peacham, a clergyman of Somersetshire, between sixty and seventy years of age, was selected for the victim. On breaking into his study, a sermon was there found, which he had never preached, nor intended to preach, nor shown to any human being, but which contained some passages encouraging the people to resist tyranny. He was immediately arrested, and a resolution was taken to prosecute him for high treason. But Mr. Attorney, who is alone responsible for this atrocious conduct, anticipated considerable difficulties both in law and in fact before the poor old parson could be subjected to a cruel and almost ignominious death."

In every line of this passage there is error; indeed, the whole passage is an error. No murmurs arose in the country on account of St. John. No one at court ever dreamt of making Peacham a victim, for no one out of Somersetshire had ever heard his name. His study was not broken into for the purpose of finding treason in it. It was not a sermon that had been found. It is

6. Peacham's Examination, Aug. 31, 1615, S. P. O.

IX. 6. 1614. Dec.

ridiculous to say that the papers seized in his desk were not intended to be shown to any human being, for they had been written for publication and had in truth been shown to several persons. Peacham was not arrested immediately on the seizure of his papers: he was already in custody for offences less dubious than a political crime. Mr. Attorney was not alone responsible for his prosecution. He was not at all responsible. The prosecution was ordered by the Privy Council, of which he was not a member. It was conducted by Winwood, the Puritan Secretary of State.

7. Not much has been left to us by the writers about Edmond Peacham; yet evidence remains in the books at Wells and in the records of Her Majesty's State Paper Office, to prove that he was one of the most despicable wretches who ever brought shame and trouble on the Church. It is there seen that he was a libeller. It is there seen that he was a liar. It is there seen that he was a marvel of turbulence and ingratitude; not alone a seditious subject, but a scandalous minister and a perfidious friend. It is in evidence that he outraged his bishop by a scandalous personal libel; and that he did his worst to get the patron to whom he owed his living hung.

8. Hallam tells us how hard it is for him to see any way in which this poor parson, in a wild part of the west country, far from a large town, could have fallen into the clutches of

7. Sentence of Deprivation against Peacham, Dec. 19, 1614, S. P. O.; Presentation Books at Wells. I am indebted for many particulars respecting Peacham to the friendly inquiries made for me by Lord Auckland, Bishop of Bath and Wells. A brief inspection of the papers preserved in the old gate-tower at Wells convinces me of their very great value for ecclesiastical and family history.

8. Wells MSS.; Collins' Peerage, art. Pawlett; Council Reg., Dec. 9, 16, 1614.

IX. 8. — 1614. Dec.

the law. The reader of Hallam will be glad to find that Peacham fell into grief, not on account of his politics, but for an unbearable ecclesiastical offence.

For several years Peacham had been rector of Hinton St. George, a parish in the wildest part of Somersetshire, and in the diocese of Bath and Wells. James Montagu, Dean of the Chapel, was bishop. The lord of the manor and patron of the living of Hinton St. George was John Paulett, grandson of Bacon's old friend and guardian, Sir Amias Paulett, and founder of the noble line of that name and place. Margery, a sister of this John, married Sir John Sydenham of Combe, one of his political friends. Paulett represented the county in Parliament, in which he distinguished himself by a firm yet far from disloyal opposition to the court.

The papers at Wells still prove that Peacham had been very troublesome to the Church. There had been irregularities in his institution. There had been libels and accusations in the Bishop's Court. At length there came from Hinton St. George a foul and malignant libel against the bishop himself; when Montagu appealed to his primate, and Archbishop Abbott cited the offender to appear before him at Lambeth and purge his fame. His character and his cause appeared so bad that on his arrival in town Abbott lodged him in the Gatehouse, among the herd of recusants, monks, and priests.

Dec. 19.

9. Many a Puritan preacher, silenced for a word on copes and stoles, on the closed book or the unlit candle, must have envied this libeller such a hearing as the Church condescends to grant him. Ten commissioners, one of

9. Sentence of Deprivation against Edmond Peacham, Dec. 19, 1614, S. P. O.

them an archbishop, four of them bishops, meet to try his case. If Abbott and King lean to Puritan views, Andrews and Neile incline towards Rome. In such a tribunal there is sure to be sympathy for any excess of zeal. Yet these four men, as well as the other six, condemn him. Ecclesiastics who differ from each other on every point of doctrine and discipline, agree to find Peacham guilty of composing, writing, or causing to be written, a defamatory libel against his ordinary, contrary to his canonical obedience and reverence and to the virtue of his oath, and of writing, or causing to be written, a scandalous libel against the laws, statutes, and customs of the Church and the ecclesiastical jurisdiction, defaming the clerical order and the national rite. By a solemn act they cast him from the Church. IX. 9. — 1614. Dec. 19.

10. Among the papers seized in his house at Hinton St. George, and brought up with him to London, is a mass of political writings scrawled on loose sheets, sewn together so as to make a book. Glancing through these sheets, the commissioners find them stuffed with defamatory attacks on the Court, the Government, the Prince of Wales, and the King, so sharp and savage that they must have been either meant for the signal of a rising or have been composed by a man drunk or mad. The King is charged with falsehood, his ministers with fraud. Peacham treats the King with no more reverence than his bishop. He has felt himself moved to say that James might be smitten of a sudden, in a week, like Ananias and Nabal; that the Prince will want to take back the Crown-lands sold by his father, when men will rise up against him, saying— 1615. Jan.

10. The true State of the Question whether Peacham's Case be Treason, State Trials, ii. 878.

IX. 10. — 1615. Jan. This is the heir, let us kill him. He has declared the King's officers so vile that they should be set upon and put to the sword; the King himself a creature not alone unfit to reign, but unworthy to bear the name of Christian or of man—a thing too abject to crawl on earth or be redeemed in heaven.

These passages are not only meant for the public eye, but are ready for the press.

11. Winwood, who, if not a Puritan, is a protector of the Puritans, by whose help he holds his place at court, sees no cause in this depraved and convicted man's religion to stay his hand. If Peacham is a Puritan, the lay chief of the body does not seem to know it. Winwood puts him under question; when the vicious old sinner falls into deeper and more odious sin. From either demoniacal spite at his recent loss, or from utter callousness of heart, he accuses John Paulett, the patron to whom he owes his living in the Church, of a treasonable knowledge of the contents of his book. And not only John Paulett, but his sister's husband, Sir John Sydenham, whom he charges, not alone with criminal silence, but with a positive share in the composition. Nor do the wretch's lies end here. Among the most intimate friends of Paulett is Sir Maurice Berkeley, a politician and a reformer, who plays a conspicuous part in London life, and who divides with him the representation of the shire; him also Peacham charges as a confederate. Winwood gets alarmed. A sedition of which Paulett, Berkeley, and Sydenham are the accomplices may be fraught with peril. He sends Peacham to the Tower, brings Paulett and Berkeley

11. Council Reg., Nov. 2, Dec. 9, 1614, Feb. 25, 26, 1615.

before the Privy Council, and calls up Sydenham from Combe. IX. 11. 1615.

12. All three gentlemen scout with indignation this abominable lie. Paulett and Berkeley say they have never heard one word of the scandalous and seditious book; Sydenham says he never wrote a line of it. And they tell the truth. If they speak against the Crown on questions of prerogative and grievances, they say what they have to say in the House of Commons. If they are hostile to the court, these men are neither libellors nor traitors. Jan.

Where lies the truth?

Here are the seditious libels against the Crown, of which Peacham asserts that he shares the authorship with Sydenham and the privity with Paulett and Berkeley. How is Winwood to probe the mystery? The law has but one course. Peacham must be interrogated as Fawkes was interrogated.

The Crown sends down a commission to the Tower, consisting of Winwood, Secretary of State; Cesar, Master of the Rolls; Bacon, Attorney-General; Yelverton, Solicitor-General; Montagu, Recorder of London; Serjeant Crew; and Helwys, Lieutenant of the Tower, to put him to the question. An extract from the Council Register will show the order under which they act:— Jan. 18.

THE COUNCIL TO WINWOOD, MASTER OF THE ROLLS, LIEUT. OF TOWER, AND OTHERS.

"After our hearty commendations. Whereas Edmond Peacham, now prisoner in the Tower, stands charged with the writing of a book or pamphlet containing matters

12. Council Reg., Jan. 18, 1615.

IX. 12. 1615. Jan. 18. treasonable (as is conceived), and being examined thereupon refuseth to declare the truth in those points whereof he hath been interrogated. For so much as the same doth concern his Majesty's sacred person and government, and doth highly concern his service, to have many things yet discovered touching the said book and the author thereof, wherein Peacham dealeth not so clearly as becometh an honest and loyal subject. These shall be therefore in his Majesty's name to will and require you and every of you to repair with what convenient diligence you may unto the Tower, and there to call before you the said Peacham, and to examine him strictly upon such interrogatories concerning the said book as you shall think fit and necessary for the manifestation of truth; and if you find him obstinate and perverse, and not otherwise willing or ready to tell the truth, then to put him to the manacles as in your discretion you shall see occasion; for which this shall be to you and every of you sufficient warrant."

13. That these instructions were obeyed by the commissioners there is no room to doubt. A man of gentle heart may regret that commands so savage and so futile should proceed from the English Crown; but while grieving that our ancestors were either less wise or less compassionate than ourselves, no candid mind will consent to assess the fault of an entire generation on the character of a single man. A belief that truth must be sought by help of the cord, the maiden, and the wheel, was in the opening years of the seventeenth century universal. It had come down with the codes and usages of antiquity, sustained by the practice of every people on the civilized globe; most of all by the practice of those wealthy and illustrious

13. Dom. Papers James the First, lxxx. 6, 26, 38.

communities which had kept most pure the traditions of Imperial Roman law. Men who agreed in nothing else, agreed in seeking truth through pain. Nations which fought each other to the knife over definitions of grace, election, and transubstantiation, had a common faith in the possibility of discovering truth by the rack, the pincers, and the screw. There were torture-chambers at Osnaburgh and Ratisbon no less hideous than those of Valladolid and Rome. The same hot bars, the same boots, the same racks, were found in the Piombi and the Bastile, in the Bargello and the Tower. Nor was the Church one whit more gentle or enlightened than the civil power. Cardinals searched out heresy in the flames of the Quemadero, as the Council of Ten tracked treason in the waves of the Lagune. Bacon was not more responsible for the universal practice than for the particular act. To have set himself against the spirit of his time he must have mounted St. Simeon Stylites' column, or shrunk into St. Anthony's cave. If he chose to live among men, he must discharge the duties of a man. There lies a deep gulf between acts of duty and acts of the will. One who from morbid mind, or from love of pain, must follow the death-cart to Tyburn, is not performing a noble or necessary deed; yet the chaplain who has to recite the prayer, the sheriff who has to signal the drop, go free from blame. So in truth with Bacon. If he were present at the question of Peacham, he was there as one of a commission acting under special commands from the Privy Council. It is silly to say he was responsible for what was done. He was not chief of the commissioners. He was not even a member of the high body in whose name they spoke. His official superiors, Winwood and Cesar, were on the spot. Does Lord Campbell think the Attorney-

IX. 13. 1615. Jan. Feb.

IX. 13. General should have declined to act with them, thrown up his commission, and refused to obey the Crown?

1615. Feb.

14. Bear in mind the age in which he lived. The cry of pain, the gasp of death, were no such shocks to the gentle heart as they would be in a softer time. Men had been hardened in the Smithfield fires. Minds were infected by the atrocities of Papist plots. The ballads sung in the streets were steeped in blood, and the plays which best drew audiences to the Globe theatre were those in which fewest of the characters were left alive. Hamlet, Pericles, Titus Andronicus, were the Shakesperean favourites. No man is known to have felt any sickness of the heart in presence of judicial torture. Egerton often saw men on the rack. Winwood stood by while Peacham, under torture, told his tale. James was present when Fawkes was stretched. A feeling, it is true, was beginning to quicken in society against this use of the rack. Both Coke and Bacon disapproved its use; but this merciful sentiment of a few jurists and philosophers was unshared by the multitude of men who made the laws. Until the Crown should see fit to abandon this old plan of seeking truth through crushed feet and dislocated joints, the officers of the Crown had no choice but to read their commission and execute their trust.

15. This truth is so clear that it ought to need no illustration. Take a fact from our own time. More than one living judge is supposed to be adverse to trial by jury. Yet the judges sit in courts where property and life are daily exposed to the mercy of a dozen illogical and prejudiced men. Are they responsible for the wrong done? Again, it is conceivable that a judge might feel uneasy on the score of capital punishments. It is

inconceivable that any judge on the Bench would refuse to hang a Palmer or a Rush so long as the law continues to declare wilful murder worthy of death. Bacon told the King that he misliked the use of torture in judicial inquiries. He told him so in this very case of Peacham. Further than that expression he could not go. IX. 15. — 1615. Feb.

Bacon's case in 1860 may possibly become Lord Campbell's case in 1960. Let the public heart go on softening for a hundred years, fast as it has softened from the early days of John Howard, and the whole civilized world may come by 1960 to regard the strangling of a human being, on any pretext whatever, as a monstrous crime. Would such a change of public feeling lay Lord Campbell open to the charge of judicial murder? Would it be just in a writer of that compassionate age to relate with "horror" that Lord Campbell prostituted eminent parts and sullied an honourable name by sitting for many years in a court of justice where life was taken in the name of law, with his own lips delivering man after man, and even woman after woman, to be strangled in presence of a brutal crowd, by a wretch who received his blood-money for every loathsome job? Would it be fair to say that Lord Campbell in his thirst for blood took the life of Sarah Chesham, a poor woman sentenced to death on circumstantial proof, who protested her innocence with the rope round her throat? Would it be fair to say that with savage glee he ordered Emma Mussett to be strangled on pretence of child-murder, even though obliged to confess that the evidence was full of doubt? Would it be honest in the writer of a future century to say that in 1860 Lord Campbell stood alone on the bench in his resolute practice of hanging women—while, under such humane judges as Crompton and Cresswell, the lives of Celestina Sommers

IX. 15. — 1615. Feb. and Elizabeth Harris, criminals of whose guilt no man could doubt, were spared? We think the writer who should say this, or anything like this, in 1960, would be as unfair to Lord Campbell as Lord Campbell has been to Francis Bacon.

Aug. 16. How Peacham lies and swears, now accusing others, and now himself, anon retracting all that he has said, denying even his handwriting and his signature, one day standing to the charge against Sydenham, next day running from it altogether; how he is sent down into Somersetshire, the scene of his ignoble ministry, to be tried by a jury of men who will interpret his public conduct by what they know of his private life; how he is found guilty by the twelve jurors and condemned by Sir Lawrence Tanfield and Sir Henry Montagu, two of the most able and humane judges on the bench; how his sentence is commuted by the Crown into imprisonment during the King's pleasure; and how he ultimately dies in Taunton jail, unpitied by a single friend, I need not pause to tell.

Aug. 31. 17. After sentence of death has been recorded against him, he offers to tell the truth, if the King will only spare his life. The written confession, twice signed by his hand, which remains in the State Paper Office, tells in his own words how he came to utter that lie about Sir John Sydenham. A question being put to him:

"He answereth that all the said words wherewith he charged Sir John Sydenham were first written by himself, this examinate, only; and, afterwards hearing these same

16. State Trials, ii. 870; Diary of Walter Yonge, 27; Chamberlain to Carleton, Feb. 9, Mar. 2, Aug. 24, 1615, S. P. O.; Council Reg., July 12, 1615.

17. Peacham's Examination, Aug. 31, 1615, S. P. O..

words delivered unto him by Sir John Sydenham, they were, to this examinate, a confirmation of that which he had formerly written. And, being further asked how he could so strongly father those words upon Sir John Sydenham, seeing he now confesseth himself to be the author, and Sir John Sydenham but only to confirm him in them, he answereth that, when he made this answer, he understood not that distinction betwixt the author and confirmer, but that they were both taken for one to his understanding. And, being asked as before, what was his reason and end in charging Sir John Sydenham, he answereth he did it to satisfy his Majesty and the Lords with the truth." IX. 17. 1615. Aug. 31.

Being asked his motives and intentions in writing the pamphlet:

"He answereth that, first, it was compiled without any knowledge of evil (?) on his part, either against the King or estate; and, secondly, after good and advised deliberation, he would have taken out all the venom and poison thereof, before ever he would have published the same. And, being asked in what manner he would have published it—either by preaching it, or delivering copies of it, or by printing it—he protesteth that his intent was never either to publish, or to give copy, or to print, but only in private, for his own study, to reduce it into heads, that he might make use thereof for such particulars as he out of the text observed, whensoever he should have occasion to speak of any such matter, when all the evil was taken out."

He pronounces this a true confession; saying he should abhor telling a lie to his sovereign, and should think himself guilty of his own blood if he kept back anything

IX. 17. after having been promised his life for revealing the truth.

1615. Sept.

18. One more charge. Bacon, it has been said, not only stands by while the prisoner undergoes examination, but, on the King's command, consults the judges as to whether this crime of seditious writing amounts to treason by the law. In the wake of Macaulay, Lord Campbell says that a private consultation with the judges was an act most scandalous and most unusual. The scandal of such proceedings may be matter of opinion; their frequency is beyond denial. The Kings of England always enjoyed, and constantly exercised, the right of consulting their judges on the statutory bearing of political crimes. These judges had always been the King's judges; holding their commissions at his pleasure; bound by their oaths to advise him on points of law. Macaulay says there is no instance of the Crown privately consulting with the bench. "Bacon was not conforming to an usage then generally admitted to be proper. He was not even the last lingering adherent of an old abuse. It would have been sufficiently disgraceful to such a man to be in this last situation. Yet this last situation would have been honourable, compared with that in which he stood. He was guilty of attempting to introduce into the courts of law an odious abuse, for which no precedent could be found." Why, the law-books teem with precedents. One will serve for a score. It happens, indeed, that there is one precedent so strange in its circumstances, and so often the subject of legal and historical comment, that it is amazing how it could have slipped the recollection of any lawyer,

18. Macaulay's Essay on Bacon; Campbell's Life of Bacon, iii. 65.

and most of all a lawyer writing of the times of James the First. IX. 18.

1615. Sept.

19. Peacham's arrest occurred in 1614. In 1612, Bartholomew Legate, a poor Arian preacher, of simple nature and extreme dogmatic views, was tried by a consistory of divines then sitting at St. Paul's, condemned for ten separate heresies, and sentenced to be burnt alive. King, his ordinary, turned him over to the secular arm. But, as an Act of the first year of Elizabeth had repealed the Statute of Heresy, leaving errors of faith to the more merciful ruling of the common law, a question arose as to whether the Crown had power to execute this abominable sentence of the divines. James thought he had full powers. The judges were consulted one by one. Abbott instructed Egerton how to act; and the Lord Chancellor conferred in private with his legal brethren, Williams, Croke, and Altham being sounded by him or by his orders. As they all agreed that James, despite the repeal of the Statute of Heresy, had power to burn, the King, on their authority, issued his warrant under the sign manual to Egerton, Egerton sent his writ to the sheriff, and thus, without condemnation in any civil court, Bartholomew Legate perished in the Smithfield flames.

This is the precedent Macaulay seeks.

20. It is right to add that the Privy Council abandoned all proceedings against Paulett and Berkeley at an early date, and that Sydenham was restored to his freedom purged in fame. It is also right to add that the notion of

19. Chamberlain to Carleton, Feb. 26, Mar. 25, 1612, S. P. O.; Sign Manuals, i. No. 15; Egerton Papers, 447.

20. Council Reg., Mar. 26; Chamberlain to Carleton, Mar. 2, 1615, S. P. O.

IX. 20. — 1615. Sept. treating Edmond Peacham as though he were in some sort a Puritan martyr is an aberration of the modern biographical mind. The Puritan writers say nothing for him; he has no place in the pages of Toulmin or of Neale. He was degraded by a Puritan Archbishop, prosecuted and condemned by a Puritan Secretary of State.

CHAPTER X.

RACE WITH COKE.

X. 1.
1615. Sept.

1. Lord Campbell accuses Bacon of having fawned on Somerset in his greatness, of having abandoned him in his fall. Part of this accusation was made by Coke; not all of it; and in a whisper, not in boldly-spoken words. A glance at the facts, as they stand in the registers of the Privy Council and the archives of the State Paper Office, will suffice, it is thought, to convince an impartial reader that Bacon's course through these proceedings against the Earl and Countess of Somerset was in the highest degree noble and humane. Such a reader will see that he was neither obsequious to Somerset in his pride, nor insolent to him in his disgrace.

2. Somerset had not been friendly to Bacon's suit. Not that the young Scottish favourite was wholly wanting in sympathy for merit. His own abilities were not vast, nor his tastes, except in dress, refined; yet he was very far from being the abject creature that Lord Campbell says. Abject of nature he was not; guilty of murder he was not. More than one popular poet found in

1. Campbell, iii. 66; Yelverton to Bacon, Sept. 3, 1617, Lambeth MSS. 936.

2. Bacon to Carr, Nov. 14, 1612, S. P. O. Mr. Amos, in his Great Oyer of Poisoning, 1846, and Dr. Rimbault, in his Introduction to the Miscellaneous Works of Sir Thomas Overbury, 1856, have thrown light on the story of Somerset; but the true history can be traced in its minute details nowhere save in the State Papers of 1612-15. These papers are far too numerous to cite.

X. 2. — 1615. Sept.

him a patron and a friend. He was kind to Jonson, more than kind to Donne. For years he maintained the closest intimacy with Overbury; a connexion not to have been kept with that haughty and sensitive man of genius had Somerset been the fool in feathers and rosettes he is commonly made. But Bacon's policy was not his policy. Blown about with every wind, the favourite swayed from west to east, now moored among the extreme Puritans, now among the most bigoted of the Papists. When he at length chose a side, it was with the party against which Bacon had spent the best of his days and the most brilliant of his powers; for he suffered his name to be used, and his influence over James to be abused; by that iniquitous Spanish faction of which Sir William Monson was the pensioned agent, Lord Northampton the pensioned chief.

A nature proof against gold was not proof against love. A pair of bright eyes, which, in the language of Donne,

> "Sowed the court with stars,"

turned upon him; the eyes of Lady Essex, Lord Northampton's niece. Her uncle set her on; that venal old pander putting the young wife of Essex in Somerset's way, tempting her virtue to break its vows, and lending his house to the profligate pair for their stolen kisses. Soft of heart, inclined by youth and rivalry to vice, Somerset fell into the snares laid for him by the wily greybeard and the shameless girl.

3. Somerset won to their side, the Romanist party ruled the state. All that a doting prince has in his gift

3. Wake to Carleton, Venice Correspondence, Nov. 18, 1612; Chamberlain to Carleton, Nov. 26, 1612, S. P. O.; Bacon's Speech in Star Chamber, Nov. 10, 1615, S. P. O.

—rank, places, pensions, grants, monopolies, embassies, mitres—for a time were theirs. They gave to whom they would, and they sold to whom they could. They refused to give Bacon the Court of Wards. They sold it to Cope. But their reign was short; for the actors in this drama of unholy love fell from their odious profligacy into a diabolical crime. Overbury, whom they feared, not only for his influence over Carr, but for the English vigour of his Protestantism, was done by them to death. At first they kept their secret; and in truth the accusation against them was of a kind which defies belief. That three great earls, with three or four distinguished knights holding high positions in the country, should league themselves with wizards, harlots, quacks, prentice-boys, and grooms, to murder a private gentleman for a few verses of reproof addressed to a friend in love, required the bold and morbid imagination of a Webster even to conceive. Poisoning, too, was rare: "It is neither of our country nor of our church," said Bacon; "you may find it in Rome or Italy; there is a region or perhaps a religion for it." People forgot that Northampton was of that religion, that his associates were Italians and Jesuits, and that his early days had been spent in Florence and Rome.

X. 3. 1615. Sept.

4. Yet suspicion spread. The poet's kinsmen murmured. Some who understood his character, many who admired his writings, spoke of his sudden death, his singular interment. Then, the publication of 'The Wife,' a poem which charmed all hearts by its wisdom and poetic beauty, kindled a burning wish to inquire into the poet's fate. Five editions of The Wife were sold in a year; five thousand

4. A Wife, now a Widowe, 1614; A Wife, now the Widow of Sir Thomas Overburye, 1614; Do., in three subsequent impressions, 1614; Bacon's Speech in Star Chamber, Nov. 10, 1615.

X. 4. — 1615. Sept.

voices began to call his enemies to account. The cry could not be stifled. Men forgot their affairs to ask about the poisoners of Overbury; the ordinary courts of law, even the playhouses, were abandoned for the development of a more striking drama. Term, says Bacon, was turned into a justicium or vacancy by it. Yet, who was to set the law in motion? Those to be touched by the officers of justice, perhaps by the hangman, stood among the highest in the land. Who would lay finger on the Howards and the Carrs?

5. Men sprang up for this desperate duty. By his union with the wife of a living man, Somerset grieved the church of which Abbott was the hierarchical head, not less than the Puritan congregations of which Winwood was considered the parliamentary chief. The Archbishop, having strained his strength and jeopardized his life to prevent the divorce, was ready to fight, with such allies as God might send him, against the malign ambition and insatiable greed of Lady Somerset's kin. Therefore, when the cry for justice on the murderers of Overbury rose to heaven, he offered his high rank and holy character as a shield to such witnesses as, without this august protection, would scarcely have dared to wag their tongues. Winwood, Egerton, Zouch, Southampton, Essex, Pembroke, and Montgomery, all the more patriotic peers, the friends of poets, the founders of Free States, joined hands with the brave Archbishop in this crusade against vice and crime. Bacon, who had known the poet and admired the qualities of his genius, went with the English churchman and the English peers.

5. Archbishop Abbott's Narrative, in Rushworth, i. 460; Bacon's Speech in Star Chamber, Nov. 10, 1615; Weston's Examination, Sept. 28, 29, Oct. 2, 3, 5, 6, 1615, S. P. O.; Sir Thomas Monson's Examination, Oct. 5, 1615, S. P. O.

The bright eyes and soft cheek of George Villiers, a prettier man than even Carr, reconciled the King's heart to a general arrest and rigorous examination of his old favourite's bosom friends. Coke managed the case against them. X. 5. 1615. Sept.

Soon the confessions of Franklin, Weston, and Anne Turner implicated high persons. Northampton was beyond the reach of law; but his tools or dupes, Sir Gervase Helwys, Sir Thomas and Sir William Monson, were still alive. Coke lodged them in the Tower; sent Helwys to the gallows; got a true bill found against Sir Thomas Monson at Guildhall, and would have put him to death, with or without evidence of his guilt, but for the necessity of keeping him, an unconvicted man, as evidence against Carr.

6. In these trials of the assassins, it is remarkable that Bacon, though holding office as Attorney-General, has no share. Either his gentle nature shrinks from the horrors of a criminal prosecution, or Coke excludes him from proceedings in which he expects to find abundant profit and fame. Either supposition may be true. It is obvious from the record of the criminal courts that Bacon must often have left to others, when he might have taken the part himself, the dramatic and exciting task of chasing criminals to death. None of Coke's thirst for blood parched up his soul: the trials of Essex and Sanquhair are almost the sole cases in which Bacon took part that ended in the loss of life. Coke, bent on hanging and bowelling all these miserable wretches, may have feared his tender heart and his respect for the forms of law. Certain it is that Sir Lawrence Hyde acts as Crown prosecutor, and that one at least of the prisoners, Nov.

6. State Trials, ii. 911-948; Welden, 101.

X. 6. that one a woman, is hurried to the gallows in a way which no lawyer can now defend.

1616. May 24. 7. In the more important trials of the Earl and Countess of Somerset, not before Coke, but before the highest court in the realm, the House of Peers, Bacon assumes his place. Lady Somerset pleads guilty, throwing herself on the mercy of God and the King—drawn to that course by an understanding, or a promise, that her appeal to the Crown shall be mercifully heard. Bacon is prepared for either course: the notes of a speech intended to have been made against her are preserved among his works. They are singularly merciful and gentle. Somerset's case comes last. Lord Campbell assumes his guilt; but such a study of the confessions as he gave to the evidence against Sarah Chesham or William Palmer would convince him that, though guilty of some depravity of heart and understanding, as well as of criminal weakness towards his wife and her associates, it is very far indeed from sure that he was guilty of any share in Overbury's death. No proof was given, nor has any proof been yet found, that Somerset knew of Weston being put into the cell to kill Overbury, or of the Countess sending the relays of poisoned tarts and soups. It is certain that he was deceived throughout by Lord Northampton. Yet, on the other hand, it is not to be denied that his indolent selfishness led him to the very verge of connivance in the crime. It was a case of doubt, and will remain so to the end of time. Bacon claimed strict justice from the Peers, while he left the gates of mercy open to the Crown. The Peers condemn Somerset, but with a tacit understanding that his life shall not be taken away.

7. Sherburne's Report of Lady Somerset's Trial, May 24, 1616, S. P. O.; Winwood to Wotton, May 2, 1616, Venice Correspondence, S. P. O.; Bacon's Charge, in Montagu, vi. 235.

X. 8. 1616. May.

8. When Somerset has been sent to the Tower—when the Howards are cast down from their bad eminence, and the flagitious Spanish clique seems broken by their fall—Bacon's voice is raised for clemency. When he has done his duty as Attorney-General, he remembers his privileges as a Christian and a man. Life enough has been taken. Helwys, Weston, Franklin, Anne Turner, all the more active agents in the deed, are gone. The Countess has a baby at her breast—that little girl who born in shame, will live to become the mother of William Lord Russell. She has confessed her guilt, she has been awfully punished, and the remnant of her years is doomed to obscurity and shame. The Earl maintains his innocence; the world has not been satisfied of his guilt. Humanity and Law alike concede to him the protection of every doubt. Bacon's counsel to the Crown must be allowed to be pure. He owes nothing to Somerset in the past—he can have nothing to hope from him in the time to come.

9. He has some domestic and rather humorous trials of his own. Sir John and the lady in Worcester break his rest. Having put his scorn upon Lord Eure, and worried him into selling his place to Lord Gerard; having got, with the help of Gervase Babington, Bishop of Worcester, a grant from the Crown to restore his pool; having finished his house in the middle of Westwood Park, and given a banquet to Lord and Lady Compton and their train in honour of the event, which has been the talk of neighbouring shires, the warm old knight, having no one left to

8. Bacon to James, April 28, 1616.

9. Council Reg., Mar. 7, 1615; Dom. Papers James the First, lxxxvii. 67, S. P. O.; Wotton, i. 186.

X. 9. — 1616. May.

fight with, has begun to fuss and wrangle with his wife. The widow, on her side, is now perverse. Sir John has to turn her out of doors. When she leaves the park and rides up to town, her clothes and trinkets, sent on before her, are stolen on the way. In the full belief that Sir John has caused her to be plundered, Lady Pakington sends her wrongs to the Privy Council, and begs to have a general warrant of search for her stolen trunks. This piece of domestic comedy stands solemnly recorded in the Council-books:

March the seventh, 1615.

Present:

George Abbott, Archbishop of Canterbury.
Thomas Howard Earl of Suffolk, Lord Treasurer.
Edward Somerset Earl of Worcester, Lord Privy Seal.
William Herbert Earl of Pembroke, Lord Chamberlain.
The Earl of Dunfermline.
The Bishop of Winchester.
Lord Knollys.
Sir Ralph Winwood, First Secretary of State.

A General Warrant directed to all His Majesty's Public Officers.

"Whereas complaint hath been made unto us by the Lady Pakington, wife to Sir John Pakington, knight, that, having occasion to repair to London, and sending up divers trunks of apparel and other necessaries for the use of her person, the same was carried aside, and as yet detained from her, to her great hindrance and prejudice. These are therefore to will and require you to make search in all places where you shall be directed by this bearer for apparel belonging to the Lady Pakington, and the same

being found to cause it to be delivered to this bearer for her use." X. 9. 1616. May.

This warrant to search for Lady Pakington's hoods and jerkins, fans, ruffs, and farthingales, is signed by the Archbishop, the Lord Treasurer, and the rest!

10. It may for charity be hoped the poor lady finds her trunks, though the Council-books say no more about them. Certain it is that when she again goes home to Westwood Park she nags and frets Sir John, and not Sir John alone. Two of her girls are now married, and she does her very worst to make their husbands as miserable as her own. How Mervin Touchet bears her tongue we are not told; but this young lord being rather crazed, and exceedingly vicious and tyrannical, it is likely enough that he submits, as such men do, to the woman's cold, dry, dogged will. Not so Francis Bacon, who insists, to her surprise and rage, on being the master in his own house. When she tries on him the arts which have sometimes roused, but more frequently have tamed Sir John, he tells her in the plainest words to mind her own business, and mind it better than she has done. He even shuts his door upon her when he finds her naught. If she hints in her own sweet way that, should he turn his wife out of the house, as she supposes he soon will, now that he has turned his deaf side to her mother's counsels, she will receive her back from him, and give her, the poor outraged thing, a home, Bacon quietly reminds her that, considering what is passed, and who has been already cast off once, it is more likely that she will come to beg a room at Gorhambury than that Lady Bacon will need to seek one at Westwood Park.

10. Montagu, xiii. 63.

X. 10. — 1616. May.

This letter is in Montagu; but though curious to the last degree, it has passed unnoticed the eye of every writer of Bacon's life, because the relation of Bacon to Lady Pakington has not been known. I reproduce it in connexion with the domestic facts to which it belongs, and which it helps to explain.

TO MY LADY PAKINGTON, IN ANSWER TO A MESSAGE BY HER SENT.

MADAM,

You shall with right good will be made acquainted with anything that concerneth your daughters, if you bear a mind of love and concord, otherwise you must be content to be a stranger unto us; for I may not be so unwise as to suffer you to be an author or occasion of dissension between your daughters and their husbands, having seen so much misery of that in yourself. And above all things I will turn back your kindness, in which you say you will receive my wife if she be cast off; for it is much more likely we have occasion to receive you being cast off, if you remember what is passed. But it is time to make an end of those follies, and you shall at this time pardon me this one fault of writing to you; for I mean to do it no more till you use me and respect me as you ought. So, wishing you better than it seemeth you will draw upon yourself,

I rest yours,

FR. BACON.

11. The merciful part which Bacon, as Attorney-General, plays in the release of Sir William Monson and Sir

11. Waad's Statement, Sept. 1615, S. P. O.; Coke's Memorandum, Sept. 11, 1615, Jan. 8, 1616, S. P. O.; James to the Commissioners, Oct. 21, 1615, S. P. O.; Coke to the King, Dec. 4, 1615, S. P. O.; Sir Thomas Monson to Coke, Dec. 5, 1615, S. P. O.

Thomas Monson from the Tower, having escaped the researches of Basil Montagu, has escaped the criticisms of Lord Campbell. Yet the facts of this interference embrace a continuation of the duel with Coke, and are essential to an understanding of some of the remoter causes of Bacon's fall. X. 11. 1616. May.

In the first warm days of discovery the two Monsons were flung into the Tower. The proof would have gone hard against them. They were Papists. They were friends of Northampton. They were intimate with Lady Somerset. Sir William Monson was the secret agent of the Spanish Ambassador. Sir Thomas had been the means of placing Weston in Overbury's cell. Any actual participation in the murder has never yet been proved against either of them; yet in the flush and anger of the public, more could have been brought against them than any twelve Protestant jurors would have asked in order to their condemnation. Guildhall would have pronounced them guilty, as King's Bench had pronounced Anne Turner guilty, and Coke would most gladly have sent them to the gallows or the block.

But Bacon feels that, now the King has resolved to pardon Somerset and his guilty wife, the Monsons cannot be put to death without shocking all reasonable, conscientious men. They are Catholics; but he cannot treat their religion as a crime. Coke is furious. As one of the four commissioners for the prosecution, he has made a vast collection of secret papers on the subject; these papers he refuses to give up; and from threats which he has used on hearing that he may be baulked of his prey, it is feared that in his fury he may send them to the press.

X. 12. —. 1616. May.

12. The advocates of mercy hie to the King. James commands Bacon to require from Coke the surrender of all these documents for his Majesty's use. The Attorney-General thereupon writes to the Lord Chief Justice:—

BACON TO COKE.

MY LORD,

I received yesternight express commandments from his Majesty to require from your Lordship, in his Majesty's name, all and every such examinations as are in your Lordship's hands of Sir William Monson for his Majesty's present service. Therefore, I pray your Lordship either send them presently, sealed up, by your servant, or, if you think it needful, I will come to you myself and receive them with mine own hands. I rest, your Lordship's loving friend, to command,

FR. BACON.

This Tuesday, at seven o'clock in the morning, 16th of April, 1616.

Imagine the rage of Coke! No evidence to connect Sir William with the murderous scenes in the Tower has been discovered, while the proofs of his connexion with the Spanish Ambassador, and of his disbursements of money to the partisans of Spain, are of a kind not to be produced by the King in a court of law.

13. Sir Thomas Monson's case is far more difficult than Sir William's; for Sir Thomas was in daily communication with Helwys when the poisons were being given, and his warm recommendation of Weston first encou-

12. Bacon to Coke, April 16, 1616, S. P. O.; Carew to Roe, Jan. 18, 1617, S. P. O.

13. Coke to the King, Feb. 8, 1616, S. P. O.; Queries by Coke, Feb. 1616, S. P. O.; Chamberlain to Carleton, June 8, 1616, S. P. O.

raged Helwys to permit and then to share the crime. Yet a careful examination of the mass of evidence in the State Paper Office must convince a lawyer that Monson was no worse than Northampton's tool and dupe. He was guilty of Romanism: a crime which Coke, and many bigots like Coke, would have punished with the drop. He was guilty, too, of grave indiscretion and of crawling subserviency towards Northampton. How could the Crown lawyers deal with such a case? Monson had undergone a public examination, not a public trial. Coke would have his life. X. 13. 1616. May.

14. But while the two Monsons lie in the Tower, each loud in his denial of guilt, yet scared in soul by the violence and injustice of his adversaries, Coke himself, the most eager and malicious of those adversaries, crashes down suddenly from his high place. June.

That command to give up the confessions and examinations of Sir William must have gone to the quick; as it not only robs him of the power to bully and hang a man for whose creed he has no tolerance, but takes from him a case in which he feels a lawyer's pride, to give it over to one whom of all living men he most loathes and fears. This wrong he resents in word and deed. Seeing scorn and insult on the brow of a prince from whom he hoped to win smiles and bounty, he droops into discontent and opposition. In the great case of Commendams he comes into fatal collision with the King.

15. The case of Commendams, on the law of which Egerton and Bacon differ from Coke, may be explained

14. Carew to Roo, Jan. 18, 1617, S. P. O.

15. Storia del Concilio Tridentino, 1629; Collier's Ecclesiastical History of Great Britain, vii. 389; Council Reg., June 6, 1616.

X. 15. 1616. June. in a few words. A living in commendam was in the same position as a ward in custody; it was committed to some one's care. The custom of such holdings in the church arose in troublous times, when a Genseric was in Rome or an Attila in Gaul; then sees and parishes, left without occupants, were given in commendam to the nearest bishop or the nearest priest. In time the Popes discovered in this system of holding sees or livings a means of rewarding a loyal friend or buying off a formidable foe. In England, too, the plan had its use and its abuse. Some of the livings were so rich, while some of the sees were so poor, that a clergyman might lose in worldly state by his translation to the bench of spiritual peers. Such a fact, it is obvious, must have limited the choice of the Crown, in case of vacancy among the bishops, to the lower or less fortunate ranks of the clergy—a limitation not to be desired or endured, had not the Crown, when succeeding to the rights of the Holy Chair, inherited the power of granting livings in commendam. Yet such a power was open to grave abuse. Paulo Sarpi has denounced the evils which it brought upon Roman Catholic communities, where a Pope's bastard or a Cardinal's nephew, under the title of a holder in commendam, swept the revenues of a province into his private purse.

While Coke is in his rage, the case of a living held in commendam comes before the King's Bench. It is a private cause; but Serjeant Chibborne, in the course of his speech, goes out of his way to contest the King's power to grant commendams at all. Fearful lest the angry Chief Justice may pronounce a verdict touching the Crown, without the Crown being heard in its defence, James mounts a messenger for London commanding Bilson and Winwood.

to attend the next sitting of the Court of King's Bench and report to him the arguments there used. Winwood being sick, Bilson, Bishop of Winchester, is the sole witness; but his report alarms the King in high degree, for he hears Chibborne contend that the Crown has no power to grant livings or sees in commendam save in cases of extreme need; and that no such need can arise in England, where no man is bound to keep hospitality beyond his means. X. 15. — 1616. June.

16. Informed by Bilson of what has passed in the King's Bench, James sees the gravity of his position, and commands Bacon to write and require Coke to put off the further hearing of this case until he, the King, can come to town and consult the judges. This command a servant carries from Gray's Inn to the Lord Chief Justice's room in Serjeants' Inn; when Coke, who is just setting out for Westminster Hall, sends his own man to Gray's Inn to beg that Mr. Attorney will give to each of the twelve judges a copy of his note.

Coke's presence has been required in the Court of Chancery to assist in hearing a case for the Crown; but setting the immediate duty of the day aside, defying the royal command, as conveyed through Bacon, he goes down to Westminster, takes his seat in the King's Bench, and calls the forbidden case. After a further hearing he takes the judges to his rooms in Serjeants' Inn, where he persuades them to sign a letter to the King, throwing the blame of his disobedience on Bacon, whose request for a postponement of the trial they condemn as contrary to law and to the oaths of a judge.

16. The Judges to James, April 27, 1616, S. P. O.; James to the Judges, Council Reg., June 6, 1616.

X. 17. — 1616. June.

17. James reads this letter with amazement. If his rage against Coke, and his fears of encroachment, do not lure him one day sooner from his dogs and deer, he pens a smart rebuke to the judges, who, when they see how the tide sets, begin to feel heartily ashamed of what they have signed. They know, indeed, that the reasons given by Coke are a mere pretence; that Bacon's letter was sent by command; that the Crown has power by law to grant livings in commendam; and that to delay the hearing until James could arrive in town and lay his arguments before them would neither interfere with justice nor disturb their oaths. All these points of the case the King sets forth in his note with unsparing ire. He ends by once again, in his own words and in his own name, insisting that the hearing shall be stayed, referring them, with a good sense of which he is seldom capable, to his Attorney-General for his opinions on particular points.

June 6.

18. Ambling to town for the Whitsun games, he sends for his twelve judges to the palace. Of the many comedies played in that superb political theatre, few have been so droll as this trial of the judges by the King. All the great officers of state are present; the King himself, Archbishop Abbott and Bishop Bilson, Lord Chancellor Egerton and Lord Treasurer Suffolk, Winwood Secretary of State, and Zouch Lord Warden of the Cinque Ports, together with a host of inferior councillors and clerks. Bacon stands there to defend himself. Coke, a member of the Privy Council, takes his seat.

The men whose lives have been one long duel, who have pleaded in the same courts, who have made love to the same

17. Council Reg., June 6, 1616.
18. Council Reg., June 6, 1616.

woman, who have served in the same House of Commons, who for thirty-five years have been at guard and thrust, appear in a scene which can only end in disaster for one of them, perhaps in ruin for both. James opens the inquiry. Bilson states what he heard in the King's Bench. Bacon's letter and Coke's reply are put in as evidence and read. Eleven of the judges see their error. Falling on their knees, they confess their fault and implore the King's most gracious pardon. Coke alone, if wrong at first, has courage enough to be wrong at last; maintaining that the facts of his note were true, and that Mr. Attorney's message was against his oath. X. 18. 1616. June 6.

James turns to his Chancellor; but Egerton, before pronouncing judgment, begs, as the case involves points of law, that Bacon may first be heard.

19. Bacon rises. In the portrait of Van Somers, painted a few weeks later, we see him as he stands confronting Coke. Thirty-six years have passed since he entered on the fag and contest of the world; but thirty-six years of toil, thought, study, disappointment, and success, have neither soured his blood nor disturbed the beauty of his face. The bust of Somers is the bust of Hilyard come to its perfect growth. Brow broad and solid; eye quick yet mild; nose straight and strong, of the pure old English type; beard trim and dainty, as of one to whom grace is nature; over all the countenance a bold, soft, kindling light; an infinite sense of power, and subtlety, and humour, unmixed with any trace of pride.

20. Turning to the King, he shows, by proofs which seem superfluous, that in staying the hearing Coke would have

19. The portrait of Van Somers is at Gorhambury.

20. Council Reg., June 6, 1616; Sherborne to Carleton, June 12, 1616, S. P. O.; Gerard to Carleton, June 14, 1616, S. P. O.

X. 20. — 1616. June 6. hurt no law, broken no oath. The Lord Chief Justice starts to his feet; the King's counsel, he says, may plead before the judges, they must not dispute with them. Bacon answers for his order and for himself, that a King's counsel is, by his office and his oath, free to proceed or declare against any man, against the greatest lord in the kingdom, even against any body of men, though they were peers and judges; and he demands from the King's justice that this spirt of bad temper and worse law shall be withdrawn. James sides with his Attorney-General, and Coke has to eat his words.

The Lord-Chancellor now asks that the oath of a judge may be read; and when Yelverton has done this, he pronounces judgment wholly against Coke. In Egerton's verdict the judges all concur; promising for themselves to respect all future messages from the Crown. Coke alone answers that he will do what he shall find fit for a judge.

The fall of this arrogant man is soon noised in the Strand and at St. Paul's.

June 9. 21. Bacon is sworn a member of the Privy Council; as in every stage of his rise, without a bribe. The very first act of this new Councillor, who, on grounds of humanity, is moving heaven and earth to save a couple of Papists from the gallows, is to induce the favourite and his master to
June 16. restore the famous Puritan preacher Doctor Burgess to his ministry in the Church. Burgess has long been silenced. Many congregations wish to hear him; among others, the Honourable Society of Gray's Inn. Bacon prevails, and the thunders of the great preacher are again heard at St. Paul's Cross.

21. Council Reg., June 9, 1616; Montagu, xiii. 233; Carew to Roe, Jan. 18, 1617, S. P. O.; Chamberlain to Carleton, July 5, 1617, S. P. O.

22. Bacon is nominated one of a commission, with the Lord Treasurer, Chancellor of the Exchequer, and other ministers, to consider a plan for raising funds by selling the old feudal right of homage and by disafforesting the distant and unprofitable Crown-lands. X. 22. 1616. June 30.

More than sufficient offences are soon discovered against Coke, frauds, contempts, and disobediences, to ensure a condemnation either in the Star Chamber or in any court over which the Crown can name the judge. When he hears of this investigation into his past life, the bully of Westminster Hall lowers his tone. Not that his course on the bench has been impure; it has, in fact, as all the world knows, been ostentatiously the reverse of impure; yet the practice of all the courts is so unsafe, the system of fees so lax, that no man on the bench can stand up against an accusation brought by the Crown. No judge on the bench knows better than Coke that to be tried for a Crown offence is to be condemned. In the most grovelling key he prays to be spared the shame of a public trial; on his knees he implores the Council to protect him; saying, and very truly saying, that any man in place, however high his state, however clean his hands, may be crushed by an indictment laid in the royal name. Again and again he appears before the Privy Council, under his rival's eyes, in the same ignominious attitude, begging for mercy in the same miserable tone.

The woman who in his prosperity was the torment of his life no sooner finds him grovelling on his knees before men deaf to his groans, and the savings of his long prac- July.

22. Council to the Commissioners, June 30, 1616, S. P. O.; Council Reg., June 26, 30, 1616; Chamberlain to Carleton, June 22, 1616, S. P. O.; Sherborne to Carleton, June 29, 1616, S. P. O.

X. 22. — 1616. July. tice at the bar menaced with fine and forfeit, than she bounds to his side, makes his suit her own, worries her kinsmen for help, besieges the Queen with petitions, and declares that, come evil or come good to her husband, she will share his fate.

Oct. 23. Though Anne puts forth her weakness in his cause, Coke is degraded from the Council, forbidden to travel circuit, commanded to revise his Reports. Villiers against him, the poor Queen is snubbed: and Lady Hatton, in place of conciliating those who might help her suit, insults the favourite's mother, and on her complaint gets sent away from court. Coke humbles his pride, confesses his fault, nay, darkens his fame as a jurist and a judge by stooping, on the King's demand, to alter his Law Reports; a confession of guilt if his cases are false, a dishonest compliance if he believes them true. Even this last concession is made in vain.

When stripped of his office and deposed from the bench, his wife, who was going to make his cause her own, packs up her furniture and plate, leaps into her coach, and leaves him to his loneliness and rage. His seat in the King's Bench is offered to Bacon and declined. Sir Henry Montagu, Recorder of London, a man of very great wealth and very high abilities as a lawyer, grandson of Bluff King Hal's famous Lord Chief Justice, and founder of the ducal line of Manchester, gets his place.

Nov. 24. The fall of Coke throws light into the Tower. Sir Thomas Monson gains the liberty of that fortress. Sure

23. Villiers to Bacon, Oct. 3, 1616, Lambeth MSS. 936; Williams to Carleton, July 3, 1616, S. P. O.; Chamberlain to Carleton, July 6, Oct. 26, Nov. 9, 14, 23, 1616, S. P. O.; Sherborne to Carleton, July 11, Oct. 5, 1616, S. P. O.; Winwood to Carleton, July 13, 1616, S. P. O.; Egerton's Speech to Montagu, Nov. 18, 1616, S. P. O.; Grant Book, 197, 198.

24. Council Reg., Aug. 10, 1616; Bacon to James, Dec. 7, 1616, S. P. O.; Statement of the Case of Sir Thomas Monson, Feb. 12, 1617, S. P. O.

that Monson ought not to be tried, since it has become improbable that he could be convicted and impossible that he could be hung, Bacon is not the less sure that for the King's credit and for Monson's own safety he ought not to be merely set free. He proposes, therefore, with the full concurrence of Sir Henry Yelverton, that a pardon shall be granted under the Seal, reciting Monson's plea of innocence, the dubious proofs against him, and the gracious clemency of the King. Egerton backs this compromise; for he too, though himself a convert from the Church of Rome, believes with Bacon that a gentleman may be a Papist without being a traitor. In his own name and that of Yelverton, Bacon communicates this plan to James:— X. 24. — Nov. 1616.

BACON TO KING JAMES.

7th of December, 1616. Dec. 7.

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

According to your pleasure, signified unto me, your Attorney, by word of mouth, we have considered of the state of Sir Thomas Monson's case, and what is fit further to be done in it, and we are of opinion—first, that it is altogether unfit to have a proceeding to a trial, both because the evidence itself (for so much as we know of it) is conjectural, as also for that to rip up those matters now will neither be agreeable to the justice nor to the mercy formally used by your Majesty towards others; secondly, to do nothing in it is neither safe for the gentleman, nor honourable (as we conceive) for your Majesty, whose care of justice useth not to faint or become weary in the latter end. Therefore we are of opinion that it is a case fit for your Majesty's pardon, as upon doubtful evidence, and that Sir Thomas Monson plead the same publicly, with such

X. 24. protestations of his innocency as he thinks good, and so
1616. the matter may come to a regular and just period, wherein
Dec. 7. the very reading of the pardon, which shall recite the evidence to be doubtful and conjectural, added to his own protestations, is as much for the reputation of the gentleman as we think convenient, considering how things have formerly passed. Hereupon we have advised with the Lord Chancellor, whom we find of the same opinion. All which, nevertheless, we, in all humbleness, submit to your Majesty's better judgment.

Your Majesty's most humble
and most bounden servants,
Fr. Bacon,
Henry Yelverton.

1617. The advice is welcome. A pardon, drawn up in this
Feb. 12. sense, passes under the Seal. Monson, brought up at the bar of the King's Bench and this paper read to him, declares his innocence once more, protests that his pardon should be read as evidence of his innocence, not of his guilt. Montagu, now Chief Justice, tells him it may be read in this sense, and Monson with a joyful heart goes home from the Tower.

25. Egerton is sick. Though he will not give up the Seals, as Villiers presses him to do, while he can sign his name, he begins to divest himself of the minor offices and responsibilities of the world; among other changes yielding the Stewardship of St. Albans to the friend who now sits by his bed, lightening his pains and cares, and whom he, like all the world, has sealed for his successor in the Court of

25. Add. MSS. 19, 402; Sherborne to Carleton, Feb. 8, 1617, S. P. O.; Council Reg., Feb. 2, 1617.

Chancery. Among the public affairs in which Bacon is employed are, the Disorders in our Trade with Spain, and a Report touching a child supposed to have been left by Lady Arabella Stuart. The first is referred to Bacon alone, with power to collect evidence and to offer remedies for the wrong. The second concerns the King more nearly than the murder of English crews, the confiscation of English goods. This story of a royal child he refers to four commissioners, the highest functionaries of the state—Abbott, Suffolk, Winwood, and Bacon; Bacon, on whom the burthen of inquiry falls, representing the great lawyer now lying sick at York House. X. 25. — 1617. Feb. 12.

26. After Lady Arabella's death in the Tower a whisper flew abroad that her romantic marriage had not been altogether barren; that she had given birth to a child while confined in Sir Thomas Parry's house at Lambeth; and that this heir of the Seymours was still alive. The story has a deep and romantic interest. If there be such a child, it stands very near the throne—uniting, as it must, in one head the rival claims of the Seymour and Lennox lines of descent from Henry the Seventh; therefore a rival, as some folks think, to the King's own children, and one who may become truly formidable should the rickety Prince of Wales not live. Such a birth was not unlikely in itself. The Lady Arabella was only thirty-six when she fell in love and secretly gave her hand to William Seymour. They were married weeks before their amour was discovered. Even when parted by force, their love and wit found means for meeting. Even when Seymour was in the Tower, he so far won upon his jailor by his youth, his misery, or his gold, that he was frequently allowed to go up Feb. 2.

26. Council Reg., Feb. 2, 16, 1617.

X. 26. — 1617. Feb. 2.

the river and see his wife. Nothing, therefore, in the tale of a child having been born to all this love appears improbable to men who fear or hate the King, while the motives for concealment, if it has been born, are clear to all. James is profoundly moved. A new Perkin Warbeck menaces his throne.

True or false, the story is a serious fact for James and for his dynasty: not less grave for them if false than true; unless it can be wholly and for ever rooted out from the minds of men. Hence the commission. For a time the mystery defies even Bacon's subtlety of search and proof. It is always hard to prove a negative—most hard in such a case as this. The commissioners may convince themselves; they have to convince a credulous world, at the risk of leaving that world open to seduction by any knave who may choose to play his head against a crown. They send for Seymour, who knows nothing or will tell them nothing. They send for Sir John Keys and Doctor Mountford, physicians to the royal lady. They question Edward Kirton and Edward Reeves, her body servants. None of these will own to knowledge of the birth of any child. Such evidence is, however, far from decisive. Where are Lady Arabella's waiting-women?

It is known that, while imprisoned in Parry's house, Arabella's waiting-woman was called Ann Bradshaw. Ann has dropped out of sight, though no one thinks that she is dead. Where is she? The Seymours don't know. Her old friends and fellow servants don't know. Such a fact is of itself suspicious. Is the missing maid watching over the missing child? There must be an end of these questions. If alive, and between the four seas, Ann must be found; for on her testimony hang the chances of a civil war.

A search through every shire from Exe to Tweed dis-

covers her in Duffield—an obscure village lost among the snows of the Peak. Though old, full of aches and pains, her memory is good: she remembers everything about her unhappy mistress, was with her day and night in Parry's house, and is positive she never had a child. The local magistrates dare not jolt her off to London through the winter cold, the doctors saying she would die on the road. A message speeds to Bacon. Not an hour is to be lost; the weal of millions hangs on the words of this sick creature; so he mounts for Duffield Sir Clement Edmondes, a trusty Clerk of the Privy Council, to see the woman and take her important evidence on oath. Clement sends in his report. The tale sworn by the waiting-woman convinces the commissioners and the Council that the rumour of a young Seymour, born of Lady Arabella, being in existence is a lie. In witness of this inquiry, and of this result, James causes an elaborate statement of the facts to be inserted in the Council Register, signed by George Abbott, Thomas Howard, Ralph Winwood, and Francis Bacon. The search which satisfies the Council seems to satisfy mankind. It is, indeed, amazing that, during all the troubles and illusions of the succeeding forty years, no one ever assumed the character of Lady Arabella's son. X. 26. — 1617. Feb. 2.

27. Four weeks after closing this delicate inquiry Bacon receives the Seals. Egerton's love bears fruit; but the risks of failure in his suit have indeed been great, for Buckingham makes no secret of his wish to ruin the old Chancellor and sell his place. While the favourite haggles with aspirants for the office about its price, the King himself puts the Seals into Bacon's hands. Mar. 7.

27. Council Reg., Mar. 7, 24, 1617; Grant Book, 200; Chamberlain to Carleton, Mar. 15, 1617, S. P. O.; Commission to Abbott, Bacon, and others, Mar. 17, 1617, S. P. O.

X. 27.

1617. Mar. 7. Riding down to York House, he thanks his old friend, and in his Majesty's name presents him with the patent of an Earl. He now turns to the Court of Chancery, not in despair at the long arrears, but with confident sense of his power to conquer the vast accumulation of work. The rules which he lays down, the spirit in which he decides, are beyond all praise. Nor do the labours of his Court, the ceremonial of his rank, and the sittings of the Council, consume his strength. He instructs Buckingham in the arts of government. He toils at his Novum Organum. Within a week of his investiture the King leaves London

Mar. 17. for the Northern Kingdom, calling Bacon to the exercise of very extraordinary powers. In commission with Pembroke, Suffolk, and a single secretary, he receives power to pardon able-bodied offenders under sentence of death, save only those convicted of rape, burglary, witchcraft, and wilful murder, and send them over sea. In commission with Abbott and others, he is authorised to pass securities for loans, to issue proclamations, to conduct the Irish business, to perfect the ecclesiastical commission, and generally to conduct the government of the realm. Yet, in spite of this enormous addition to his active duties, he clears off the whole arrears of Chancery causes by the end of June.

CHAPTER XI.

LORD CHANCELLOR.

XI. 1. 1617. July.

1. In striding over Coke's head to the Mace and Seals, Bacon puts the crown to his many offences against that wealthy and vindictive foe. Their lives have been spent in a daily contest for rank, love, place, and power. Up to the present year Coke has been able to keep in front. He made more money, he won Lady Hatton, he first got office under the Crown. He went up to the Common Pleas while Bacon was fighting for his promotion at the bar. Before the great philosopher was commissioned as Attorney-General, the great jurist had been seated on the King's Bench. For the three years and four months that Bacon, as Attorney, waited in the Council ante-room, Coke sat at the board. The scene is now changed, the characters reversed. Within a few weeks Coke has been degraded from the Council to make way for Bacon, and reduced from the King's Bench that his rival may feel the insolent joy of refusing to accept his place. The humiliation has now been capped by Bacon filching from him, at the very moment of his negotiation with Villiers, the Mace and Seals, without paying for them one shilling of those irregular sums which he himself was told he must lay down. Such a success enrages the miser even more than it galls the man.

1. Council Reg., Nov. 4, 1613; Yelverton to Bacon, Sept. 3, 1617. Lambeth MSS. 836.

XI. 2. 1617. July.

2. How can he drag this rival down? The way is but too easy. Gain the favourite. Virtue is no protection to men in power. He has been thrown. Egerton only escapes an ignominious fall by the approach of death.

The story of Egerton's latter days has never yet been told. As an illustration of the time, it is in the highest degree important for a clear comprehension of his successor's fall.

As Egerton grew old a host of lawyers and ecclesiastics began to crave the Seals; conspicuous among these were Bilson and Bennett, Hobart and Coke. The Great Seal, though held like the White Staff during pleasure, changed hands so rarely that the possession was regarded as one for life. Pickering, Hatton, Bromley, Nicholas Bacon, kept the Seals to the last, as Northampton, Salisbury, Dorset, and Burghley kept the Staff. The rule applied to every office in the Household and the State. Now this appearance of a permanent possession gave to each holder of office a vested right in it, which had a market value. No man ever yielded his place without being paid for it, any more than a colonel of the line gives up his commission without his price. Death only could deprive him. As Egerton would not die though he had held the Seals longer than any Chancellor since the Conquest, nor yield his place except on reasonable terms of surrender, those who meant to make a purse by the transfer began to brood over the possibility of forcing him to yield by means of a criminal prosecution. A sentence in the House of Lords would be legal death. Once it were pronounced the Seals would fall into the King's gift. This was a new and perilous game to

2. Sherborne to Carleton, Feb. 23, 1617, S. P. O.; Lovelace to Carleton, Mar. 11, 1617, S. P. O.

play; but the plan seemed easy, the profits vast. A trial might be made. Any old lawyer, learned in the vices of the times, could get up an accusation. Buckingham could secure a majority in the House of Lords. The temptations which drew Buckingham into this odious and criminal course were very great. Sir John Bennett offered for the Seals no less a sum than thirty thousand pounds. XI. 2. 1617. July.

3. This scheme of a criminal information quickened into life on Egerton's refusal to pass under the Seal some patents in which the Villiers family had a share. Famous among these was a grant to Sir Giles Mompesson for the manufacture of gold and silver thread. Everybody wore lace. In the comic writers of James's reign, in Jonson, in Webster, in Massinger, the young gallants strut in lace—not in the tawdry stuff sold by Autolycus as a present from country lads to country lasses—but in glinting silver and gold; the metals dropping in threads from the ruff, or wrought into the doublet and hose, the cloak and cap. Venice could not supply the want. The price of gold and silver lace ran high; and the profits of the trade all went abroad. A Licenser of Inns, Sir Giles Mompesson, a man of energy and wealth, conceived a scheme for introducing this profitable manufacture into England. There were serious difficulties. Silver and gold were scarce; sometimes not to be bought except on ruinous terms. The patent under which he was to work must not alone protect his trade, but allow him to take up gold and silver for his need, even the coin of the realm. By giving two of Buckingham's brothers a share in the business, Mompesson hoped to secure protection for his enterprise.

3. Sign Manuals, vi. 109; Com. Jour., i. 530, 576.

XI. 4. 1617. July.

4. Blind to the lights of trade, Egerton refused to seal this grant. Not that he perceived and lamented the true evil of monopolies; every profession was then a guild; and without a monopoly there could be no trade. The grocer, the perfumer, the vintner, the tailor, was each invested in a charter or a patent. Egerton, during his long reign as Chancellor, passed hundreds of patents, some of them far more mischievous than the one for enabling the London spinners to rival their Venetian brethren in the production of gold and silver thread. His repugnance to it sprang from the contempt of an old man for new fripperies of dress and show, and from a fear that Mompesson would ruin the Crown by withdrawing the coinage from circulation into trade.

5. Buckingham was furious. Urged by his own vexation and by his complaining brothers, he swore to ruin the old Chancellor. Agents sneaked about the Inns of Court speaking evil of the great lawyer, now on his bed of death, provoking all who had suffered wrongs, or who fancied they had suffered wrongs, in his court, to rise up against the tyrant. Men soon answered to the call. A blameless life, a sick bed, were no protection against this outrage. One said he had given money into the court; another said he had given a ring, a cabinet, a piece of plate. In substance and form these tales were true, in spirit and intention they were false. Charges enough were gathered: charges more numerous, said Sir William Lovelace, than those which had recently crushed Coke; charges as flimsy and as fatal, I may add, as those which four years later served to overwhelm Egerton's successor. Buckingham sent to the sick man's

4. Chamberlain to Carleton, Mar. 8, 1617, S. P. O.
5. Lovelace to Carleton, Mar. 11, 1617, S. P. O.

room the news of this flagitious inquisition and its triumphant close; it is greatly to be feared that the blow broke the old man's heart. XI. 5. 1617. July.

6. It needs no magician to see that he who nearly slew Egerton might just as easily slay the successor of Egerton. Buckingham is cheated of his profit; for though Bacon pays to Egerton eight thousand pounds for the surrender of his legal rights, not a shilling of this money flows into the favourite's purse. The Villiers people are not pleased with a Chancellor who refuses to push their fortunes and feed their pride; nor is Buckingham a man to forget that, if Egerton had been chased into the House of Lords, as Coke had been into the Star Chamber, he might have put into his own pocket from the transaction a good many thousand pounds.

7. The loss is great. It is Coke's business to show Villiers how it may be recovered. Bacon is not robust nor likely to live long. He works too much, and lives too well, for vegetable length of days. Gout racks his joints; being the first beggar, as he jests, who ever had it. If he dies, well; if not, he may be ruined. Coke, who begins by collecting scandals against him, whispers to the favourite that the new Chancellor is no true friend to him; that he is not zealous for the advancement of Sir Christopher Villiers and Sir John Villiers; that he has been already false to Somerset, and may end by playing false with his Lordship. Buckingham lies open to such hints; his family more open to the direct persuasion of angels and double

6. Chamberlain to Carleton, Mar. 11, 1617, S. P. O.; Gerard to Carleton, Mar. 20, 1617, S. P. O.

7. Yelverton to Bacon, Sept. 3, 1617, Lambeth MSS. 936; Carleton to Chamberlain, May 24, 1617, S. P. O.

XI. 7. — 1617. July. angels. Coke gets Lady Buckingham on his side. If he could only part with his hoards, his day of revenge might be near; happily he cannot pay down his money even to assuage the rancour of his heart.

He thinks of a plan by which he may gain his end, yet save his pelf.

8. A daughter has been born to Coke of his second wife. This wife and he never pulled together, and of late their wrangles have been louder than at first. Their marriage was a scrape, their wedded life has been a quarrel and a jest. She disdains to bear his name, she slams her door in his face. She gives entertainments in Holborn, from which he and his friends are insolently shut out. Their tastes are in the strongest degree opposed.

He is penurious, she profuse. He loves folios and a farthing candle; she lights and revels, masques and plays. By day and night a rout of fiddlers, dancers, wizards, lovers, and magicians pours through the galleries of her great mansion looking on the Fleet. Coke slinks in shame from the sight of all this devilry to his den in Serjeants' Inn. Their misery makes the sport of wits and gallants; while in their quarrels and their unhappiness Bacon (though he has not himself escaped the common lot—a mother-in-law) has nevertheless, in his own modest and tranquil home, good reason to thank heaven night and day for his escape from such a wife.

9. The child of this dismal pair is blossoming into a

8. Jonson's Metamorphosed Gypsies; Bankes's Story of Corffe Castle, 35-44; Lady Hatton to Cecil, undated Papers, xl. 6, S. P. O.

9. Jonson's Gypsies Metamorphosed; Sherborne to Carleton, Dec. 7, 1616, S. P. O.; Chamberlain to Carleton, Dec. 21, 1616; June 4, July 19, 1617, S. P. O.; Winwood to Lake, May 27, 1617, S. P. O.

beauty and a toast, whose sensuous loveliness Jonson depicts in some of his most luscious lines: XI. 9. 1617. July.

> Though your either cheek discloses
> Mingled baths of milk and roses;
> Though your lips be banks of blisses,
> Where he plants and gathers kisses;
> And yourself the reason why
> Wisest men of love may die!

Yet the beauty of her cheek and lips is the smallest part of Frances Coke's charms. As Lady Hatton's only child, she is heiress of Hatton House, of Corffe Castle, of Purbeck Isle. Coke privately offers this wealthy girl to Buckingham's mother for one of her pauper sons. A bargain is soon struck. Sir John Villiers is to take her with twenty thousand pounds dower and a settlement of two thousand marks a year. Buckingham is to pardon all Coke's offences, and use his power to restore him to high place and confer on him high rank.

To this huckstering Frances Coke is much averse, her mother still more averse. The young lady hates Sir John, a man old enough to be her father, without person or talents, and poor as a church mouse. Her mother huffs at a contract made at her expense, without her leave. That Coke should propose a scheme is enough to make her loathe it. But in such a scheme as this match with Sir John Villiers she has better grounds for hesitation than a woman's whim. She very justly fears the tenure of a favourite's place. Has she not witnessed Somerset's golden rise and stormy end? A twinge of gout, a saucy word, a prettier cheek, may turn the King's eye another way. What then? With Buckingham's fall may come down all his house. Even now sharp eyes are turned on the rising star of Lord Mordaunt. Some note how James of late

XI., 9. — 1617. July. has begun to ogle a youth named Coney. Bets are made that Buckingham's fortunes are on the wane. Lady Hatton will not hear of such a match for her only child. Husband and wife dispute and quarrel, as they have always done over lesser things; and when the Lord Keeper and the Council, anxious for peace, interpose between them, it is only, as results soon prove, to procure a reconciliation in which Coke tries to deceive Lady Hatton and Lady Hatton succeeds in deceiving Coke. Each plots to outwit the other; Coke bent on winning the good will of Buckingham; his wife on disposing of her daughter and her property as she herself thinks best. Each plays the spy, makes friends among the servants, gets up factions in the house. Her people take Lady Hatton's part, more because they scorn the penurious old curmudgeon than because they like his prodigal and imperious wife.

She steals a march upon him while he sleeps. Putting her child into a coach at dead of night, she slips away to Oatlands, where she hides from pursuit in her cousin Sir Edward Withipole's house.

10. These domestic broils occur while James and Buckingham are in the north: setting up organs in churches, wrangling over Kirk discipline, consecrating bishops in the land of Knox. The Lord Keeper is acting as a sort of regent. To him, therefore, in Council, Coke, when he has traced his wife and child, applies for warrants of arrest. Bacon refuses. Coke flies to Sir John's mother; his wicked wife, he tells this lady, has stolen his child, has poisoned her affections towards Sir John, and means to

10. Council Reg., July 11, 14, 1617; James to Bacon, July 25, 1617, in Birch, 133.

carry her into France to avoid the match with her ladyship's son. XI. 10. 1617. July.

Her cupidity aroused, the great lady writes to command the Lord Keeper to arm Coke with full powers of search and arrest. Bacon again refuses. What he feels it right to deny in one quarter, he has courage to deny in another; though aware that his duty may be represented as an insult to Villiers, as an usurpation to the King.

His refusal to do wrong at her bidding transforms Lady Buckingham into a ruthless and inexorable foe.

11. Safe in the strength of his great patroness, Coke, defying the Lord Keeper and the Privy Council, arms a dozen of his servants, rides down to Oatlands, runs a beam against Withipole's door, and, smashing into his wife's retreat, without warrant of arrest, without a constable, he seizes the fainting girl, tosses her into his coach, and hurries her away to Stoke.

A universal howl pursues the perpetrator of this outrage on the public peace. The Council meet to consider this violation of domicile. As they are rising for the day, Lady Hatton raves to the door. How can they decline to see her? She is a woman and in distress; she is of kin by blood or marriage to the Lord Keeper, to the Lord Treasurer, to half the Council; she is pleading in her right. When admitted to the Council chamber, she describes with consummate art the outrage she has suffered, the confinement of her daughter in a lonely house, her sickness to the point of death, and she implores the lords, as only mothers robbed of their children can implore, that the

11. Chamberlain to Carleton, July 19, 1617, S. P. O.; Gerard to Carleton July 22, 1617, S. P. O.; Council Reg., July 14, 1617.

XI. 11. child may be sent for, that her story may be heard, that a physician may see her lest she die.

1617. July. The Council grant her prayer. An officer of the court rides down to Stoke, takes the girl from her imprisonment, and lodges her in town.

July 21. 12. The Lord Keeper summons Coke to attend the Council and answer for this breach of the King's peace. With an insolence which his secret understanding with the favourite's kin makes safe for him, Coke declares that he has done his duty, that his wife meant to break the match with Sir John Villiers, that she would have carried his daughter away to France, that she herself traduced and set on her servants to traduce Sir John. Bacon, who may object to a marriage between Frances Coke and Sir John Villiers—a marriage projected for his own humiliation and for the recovery of power by the late Chief Justice—feels, as one of the Commissioners governing the realm, the gravest objection to such acts as those of Coke. He replies, therefore, in the name of the Council, that Villiers, as a gentleman worthy of the young lady, would have sought her in a noble and religious fashion, not with a gang of armed men, in a midnight brawl, in contempt of natural and statute law.

Yelverton, the Attorney-General, declares that the late Lord Chief Justice, in violating Withipole's house without warrant or constable, has grievously offended against the law. None of the Council, certainly not the Lord Keeper, has any wish to weigh upon the irascible old man; but when he fails to justify by witnesses any one allegation against his wife, they are compelled to file an information

12. Council Reg., July 21, 1617; Chamberlain to Carleton, June 4, 1617, S. P. O.; Yelverton to Bacon, Sept. 3, 1617, Lambeth MSS. 936.

against him in the Star Chamber for breach of the peace, and allow his daughter the shelter of the Attorney-General's house. XI. 12. 1617.

Coke shudders at this order for his appearance in the Star Chamber. Recently fined four thousand pounds in that court for taking bail of a pirate, he fears lest a second accusation should end in a second fine. He cannot count on either gratitude or wisdom in the Villiers people. These thriftless adventurers may think it safer to take his money than wait for the chance of obtaining his wife's broad lands. He finds it wiser to defer to the Privy Council. With a rancorous animosity in his heart towards Bacon, and with fiery rage against Yelverton, he bends so far as to undergo a pretended reconciliation with his wife. Bacon joyfully announces to the King that peace is made. July 21.

13. A line of writers closing in Lord Campbell represents Bacon as first selfishly striving to thwart the match; then, finding Buckingham bent on it, as plotting with Lady Hatton by underground and criminal practices to defeat it; next, after bearing with abject spirit the most provoking taunts and threats from the favourite, as meanly condescending to eat his words and to forward a match which he must have detested with all his soul. The dates supplied by the Council Register correct these errors. Bacon's first note to Buckingham on the match has the date of July twelfth, his first note to the King that of July twenty-fifth. Before the earlier date, Lady Hatton and her daughter ran away, the ex-Chief Justice broke into Withipole's house, the Council met to consider his offence, and Clement Edmondes, their clerk, took charge July 25.

13. Bacon to Buckingham, July 12, 25, 1617; Bacon to James, July 25, 1617.

XI. 13. — 1617. July 25. of the girl. Before the later date, and before a single word was heard from Buckingham in answer, Bacon calmed the outrage, reconciled husband and wife, and restored Frances Coke to her father's house.

14. After all this was done, he wrote to Buckingham and the King the reasons which, in his opinion, made a marriage between John Villiers and Frances Coke undesirable: the refusal of Lady Hatton, the dependency of the young girl on her mother, the quarrelsome temper of the two parents, the notoriety and scandal of their domestic feuds, the disapproval of leading men in the Government, the recent disgrace of Coke, the divisions which his return to the Council would bring with it—sage and honest reasons, one and all, which received the most prompt and signal justification from events. But Buckingham was blind. The King himself forbad Bacon to oppose the favourite's schemes of family aggrandisement. Unable either to resist his Majesty's commands, or to close his eyes on the coming evil, he accepted the duty laid upon him: "For my Lord of Buckingham, I had rather go against his mind than against his good. Your Majesty I must obey."

Oct. 15. Lady Hatton, on publishing a prior contract between her daughter and the young Lord Oxford, is put into arrest, and the marriage of Sir John and Frances celebrated with regal pomp. It begins in misery to end in shame. Lady Hatton resists every persuasion to appear, nor is there a single Cecil present at the rite. James makes the bride-

14 Vere to Carleton, Aug. 12, 1617, S. P. O.; Gerard to Carleton, Aug. 18, 1617, S. P. O.

15. Council Reg., Sept. 24, 1617; Obligations and Oaths of Frances Coke to become the Wife of Henry Vere, July 10, 1617, S. P. O.; Gerard to Carleton, Aug. 18, 1617, S. P. O.; Herbert to Carleton, Oct. 6, 1617, S. P. O.; Vere to Carleton, Oct. 20, 1617, S. P. O.

groom Viscount Purbeck; but he cannot make the young bride love or respect a man to whom she has been sold. Coke is content. To the chagrin of the Lord Keeper, to the terror of Yelverton, he returns to the Privy Council—a lawyer out of work—the situation in which his enmity can oftenest wound and his activity oftenest thwart the detested rival who holds the Seals. Expecting a coronet, Coke chooses for himself the title of Lord Stoke. He believes, as the world believes, that his rise will be the signal for Bacon's fall; yet such are the suavity and zeal, the splendour and success of the new Lord Keeper—such his popularity on the bench and at Whitehall—that, in spite of new scandals brought upon him and his family by Sir John and Lady Pakington, he is able to defy the malice of his enemies and to soar above every storm.

XI. 15. 1617. Oct.

16. When her daughter's husband received the Great Seal, Lady Pakington supposed that her day of deliverance from Sir John was at hand. The lusty knight, who has sunk her rents in his brine-pits and fish-ponds, has now grown old, verging on seventy years of age, while she is still young and hale. But time, which slackens his thews, has left untamed his temper and his pride. The mother of a Lord Keeper's wife can surely get justice done to her at last against the tyrant! She appeals to the law, and brings him before the Court of High Commission, where her cold easy manner tells in her behalf, and his fluster and violence get him sent to jail and put under lock and guard. To Bacon's deep mortification, and despite his strenuous efforts to avoid the case, this domestic broil is referred to him.

Under trials of excessive difficulty and delicacy, he

16. Dom. Papers James the First, xcii. 88.

XI. 16. bears himself between husband and wife, in this miserable stage, in a way to extort the praise of even those news-writers and gossips who are in other matters the harshest critics of his life. He tells Lady Pakington she is in the wrong and that she ought to yield. He warns her against the hope of finding in him a lenient judge so long as she follows her cold unbending course.

1617. Oct.

This is the testimony of an unfriendly hand:

CHAMBERLAIN TO CARLETON.

July 5, 1617.

There be great wars betwixt Sir John and his lady, who sues him in the High Commission; where, by his own wilfulness, she hath some advantage of him and keeps him in prison. But the Lord Keeper deals very honourably in the matter, which, though he could not compound being referred to him, yet he carries himself so indifferently that he wishes her to yield, and tells her plainly and publicly that she must look for no countenance from him as long as she follows this course.

1618. Jan. 17. Notwithstanding these scandals and vexations in his own family, the Lord Keeper rises in power, expands in fame. In January, 1618, he attains the higher grade of Chancellor. In July of the same year he becomes a Peer. His slanderers sink beneath his feet. No severity seems to the Privy Council too great for those, however high in rank, who menace his person or dispute his justice. For a saucy word they send Lord Clifton to the Fleet: for a complaint against one of his verdicts they commit Lady Ann Blount to the Marshalsea. In 1620 he publishes his

17. Council Reg., Dec. 30, 1617, Mar. 17, 27, 1618; Grant Book, 241, 283; Herbert to Carleton, Dec. 30, 1617, S. P. O.; Chamberlain to Carleton, Feb. 3, 1621, S. P. O.

Novum Organum—a book which has in it the germs of more power and good to man than any other work not of Divine authorship in the world. He is now at the height of earthly fame. First layman in his own country, first philosopher in Europe, what is wanting to his felicity? Neither power, nor popularity, nor titles, nor love, nor fame, nor obedience, nor troops of friends. All these he has—no man in greater fulness. If his heart has other longings, he has only to express his wish. In January, 1621, he receives the title of Viscount St. Albans, in a form of peculiar honour—other Peers being created by letters-patent, he by investiture with the coronet and robe. XI. 17. — 1618. Jan. 1620. 1621. Jan. 27.

18. Yet, only seven months after printing the Greatest Birth of Time, only three months after receiving in the King's presence the robe and coronet, he is stripped of his honours, degraded from his great place, condemned to a monstrous fine, and flung into the Tower.

The tale of this fall is the most strange and sad in the whole history of man.

18. Lords' Jour., iii. 105.

CHAPTER XII.

FEES.

XII. 1. 1. To see why the threat of prosecution so deeply disturbed Egerton, and how easy it may be for unscrupulous men to frame a charge of corruption against his successor, a reader who is not a lawyer should remind himself of the state of society in the days of James the First.

1620. Nov.

There is no civil list. Few men in the court or in the Church receive salaries from the Crown; and each has to keep his state and make his fortune out of fees and gifts. The King takes fees. The archbishop, the bishop, the rural dean take fees. The Lord Chancellor, the Lord Chief Justice, the Baron of the Exchequer, the Master of the Rolls, the Attorney-General, the Solicitor-General, the King's Serjeant, the utter barrister, all the functionaries of law and justice, take fees. So in the great offices of state. The Lord Treasurer takes fees. The Lord Admiral takes fees. The Secretary of State, the Chancellor of the Exchequer, the Master of the Wards, the Warden of the Cinque Ports, the gentlemen of the Bedchamber, all take fees. Everybody takes fees, everybody pays fees.

2. In some public offices and courts the amount to be paid is fixed, either by ancient usage or by such a common understanding as in modern times controls a railway or steamboat fare. In some, particularly in the courts of justice, it is open. Bassanio may present his ducats; three thousand in a bag. The judge may only take a ring.

A fee is due whenever an act is done. The occasions on which, by ancient usage of the realm, the King claims help or fine are many: the sealing of an office or a grant—the knighting of his son—the marriage of his daughter—the alienation of lands *in capite*—his birthday—New Year's Day—the anniversary of his accession or his coronation; indeed, at all times when he wants money and finds men rich enough and loyal enough to pay. In like manner the clergy levy tithe and toll; fees on christenings, fees on churchings, fees on marriages, fees on interments; Easter offerings, free offerings; charities, church reparations, church extensions, pews, and rents. XII. 2. 1620. Nov.

In the government offices it is the same as in the palace and the church. If the Attorney-General, the Secretary of State, the Lord-Admiral, or the Privy Seal puts his signature to a sheet of paper, he takes his fee. Often it is his means of life. To wit, the retaining fee paid by the King to Cecil, as premier Secretary of State, is a hundred pounds a-year. But the fees from other sources are enormous. These fees are not bribes.

3. The same at the Bar and on the Bench. The Bar is a free profession: a member of the Temple or of Lincoln's Inn being bound to plead, as the knights whose swords are rust were bound to fight, in love and faith, taking no purse nor scrip. It is an order of courtesy and chivalry; its members the soldiers of justice, pledged to protect the weak, to help the needy, to defend the right. Now, all this service is by law and usage free. A barrister may not ask wages for his toil, like an attorney or a clerk, nor can he reclaim by any process of law, as the clerk and the attorney can, the value of his time and speech. If he lives on the gifts of grateful clients, these gifts must be perfectly

XII. 3. free. This theory of a counsel's hire, though old as our language and our institutions, is of course a sham. No junior on the Oxford circuit dreams of succouring damsels from love of Dulcinea, or freeing galley-slaves from the obligations of knighthood. No guineas, no speech. The shifts by which lax attorneys are tickled into passing the fees which no law compels them to pay are droll as anything in the immortal laws of Barataria.

1620. Nov.

4. Now, the rules which continue under Victoria to govern the Bar, under James the First governed the Bench. The Lord Chief Justice or the Lord Chancellor, like the Secretary of State, is paid by fees. The King's judge is neither in deed nor in name a public servant: he receives a nominal sum as standing counsel for the Crown; and for the rest he depends on the income arising from his hearing of private causes. These facts appear in a comparison of the amounts paid by the Crown to its great legal functionaries, with the estimated profits of each particular post. Thus, the Seals, though the Lord Chancellor had no proper salary, were in Egerton's time worth from ten to fifteen thousand pounds a-year. Bacon valued his place as Attorney-General at six thousand a-year; of which princely sum (twenty-five thousand a-year in coin of Victoria) the King only paid him eighty-one pounds six shillings and eight pence. Yelverton's place of Solicitor brought him three or four thousand a-year, of which he got seventy pounds from James: The judges had enough to buy their gloves and robes, not more. Coke, when Lord Chief Justice of England, drew from the State twelve farthings less than two hundred and twenty-five pounds a-year. When travelling circuit, he was allowed thirty-three pounds six shillings and eight pence

for his expenses. Hobart, Chief Justice of the Common Pleas, had twelve farthings less than one hundred and ninety-five pounds a-year; Tanfield, Lord Chief Baron of His Majesty's Court of Exchequer, one hundred and eighty-eight pounds six shillings a-year. Yet each of these great lawyers had given up a lucrative practice at the Bar. After their promotion to the Bench, they lived in good houses, kept a princely state, gave dinners and masques, made presents to the King, accumulated goods and lands. Their wages were paid in fees by those who resorted for justice to their courts. XII. 4. 1620. Nov.

5. These fees were not bribes. If the satirists, from Latimer to Nashe, described the Bench of Bishops and the Bench of Judges as taking bribes, it was only in the vein common to lampooners in every age of the world; the vein in which Boccaccio describes his Friars, and Jonson his Justice Overdos. Serious men made no complaint. Judicial corruption was not a grievance in 1604. In 1606 an attempt to reduce the fees in one department of Chancery business was rejected by the popular party in the House of Commons.

In the Great List of Grievances, drawn up in 1604, we find complaints that Cecil lives in adultery, that Parliament is packed with courtiers, that the Forest Laws have been revived, that pardons are sold to cutthroats and felons, that monopolies are granted to duns, and patents bestowed on extortioners and pimps; not that the great lawyers are thought corrupt, or that justice is supposed to be bought and sold.

Nor is such a grievance felt though undescribed. In the List of Grievances there is one charge against the Lord

5. Dom. Papers James First, i. 68, S. P. O.

XII. 5. — 1620. Nov. Chancellor Egerton. Had there been a second, it would certainly have been named. In 1604 the charge which law reformers made against Egerton was that he held the two offices of Master of the Rolls and Keeper of the Great Seals. It never occurred to these men to complain that he took his wages in the shape of fees.

6. In 1606 a bill was laid before the Commons, by a disappointed jobber, to reduce some of the fees for copies in the Court of Record. In the debates on this bill Bacon assumed a leading part. The argument of counsel was against the interference of Parliament, in the unfair fashion of the bill, with what Bacon called the freeholds of the officers in that Court. The notes of his speech, which are in the Bodleian Library, and have not been printed, put the case as it appeared to the best minds in England in 1606, a year before he held any office under the Crown. Bacon showed that the bill to reduce the fees for copies originated in a spirit, not of reform, but of revenge; that a similar bill had, in years gone by, been promptly rejected by the House; that such a law to cut down fees was unprecedented; that the bill was retroactive, against all law and justice; that a man's right in his fees was sacred as his right in his goods and lands. Remembering all that is to follow, with how much curiosity one reads these nineteen heads of a discourse against the bill!

SIR FRANCIS BACON'S SPEECH.

First: It hath sprung out of the ashes of a decayed monopoly by the spleen of one man; that, because he could not continue his new exactions, therefore would now pull down ancient fees.

6. Tanner MSS. 169, fol. 42; Com. Jour., i. 259, 268, 279.

Second: It knows the way out of the House; for in the xxxv Eliz. the like bill was preferred, and much called upon at the first, and rejected at the engrossment, not having twenty voices for it. XII. 6. — 1620. Nov.

Third: It is without all precedent; for look into former laws and you shall find that, when a statute enacts a new office or acts to be done, it limits fees, as in case of enrolment, in case of administration, &c., but it never limits ancient fees to take away other men's freeholds.

Fourth: It looks extremely back, which is against all justice of Parliament, for a number of subjects are already placed in offices: some attaining them in course of long service; some in consideration of great sums of money; some in reward of service from the Crown, when they might have had other suits and such offices again allied with a number of other subjects, who valued them according to their offices. Now, if half these men's livelihoods and fortunes should be taken from them, it were an infinite injustice.

Fifth: It were more justice to raise the fees than to abate them, for we see gentlemen have raised their rents and the fines of their tenants, and merchants, tradesmen, and farmers their commodities and wares; and this mightily within c. years. But the fees of offices continue at one rate.

Sixth: If it be said the number of fees is much increased because causes are increased, that is a benefit which time gives and time takes away. It is no more than if there were an ancient toll at some bridge between Berwick and London, and now it should be brought down because that, Scotland being united, there were more passengers.

Seventh: Causes may again decrease, as they do already begin; and therefore, as men must endure the

XII. 6. prejudice of time, so they ought again to enjoy benefit of time.

1620. Nov.

Eighth: Men are not to consider the proportion between the fee and the pains taken, as if it were in a scrivener's shop, because in the copies (being the principal gain of the officer) was considered ab antiquo his charge, his attendance, his former labours to make him fit for the place, his countenance and quality in the commonwealth, and the like.

Ninth: The officers do many things sans fee, as in causes in forma pauperis, and for the King, &c., which is considered in the fees of copies.

Tenth: There is great labour of mind in many cases, as in the entering of orders, and in all examinations. All which is only considered in the copies.

Eleventh: These offices are either the gift of the King or in the gift of great officers, who have their office from the King, so as the King is disinherited of his ancient rights and means to prefer servants, and the great offices of the kingdom likewise disgraced and impaired.

Twelfth: There is a great confusion and inequality in the bill, for the copies in inferior courts, as for example the Court of the Marches, the Court of the North (being inferior courts), are left in as good case as they were, and high courts of the kingdom only abridged, whereas there was ever a diversity half in half in all fees, as Chancellor's clerks and all others.

Thirteenth: If fees be abridged as too great, they ought to be abridged as well in other points as in copies, and as well in other offices as in offices towards the law. For now prothonotories shall have their old fees for engrossing upon the roll and the like, and only the copies shall be abridged; whereas, if it be well examined, the copies are of all fees

the most reasonable; and so of other offices, as customs, searchers, mayors, bailiffs, &c., which have many ancient fees incident to their offices, which all may be called in question upon the like or better reason. XII. 6. — 1620. Nov.

Fourteenth: The suggestion of the bill is utterly false, which in all law is odious. For it suggesteth that these fees have of late years been exacted, which is utterly untrue, having been time out of mind and being men's freehold, whereof they may have an assize, so as the Parliament may as well take any man's lands, common means, &c., as these fees.

Fifteenth: It casts a slander upon all superior judges, as if they had tolerated extortions, whereas there have been severe and strict courses taken, and that of late, for the distinguishing of lawful fees from new exactions, and fees reduced into tables, and they published and hanged up in courts, that the subjects be not poled nor aggrieved.

Sixteenth: The law (if it were just) ought to enter into an examination and distinction what were rightful and ancient fees and what were upstart fees and encroachments, whereas now it sweeps them all away without difference.

Seventeenth: It requires an impossibility, setting men to spell again how many syllables be in a line, and puts the penalty of xx *s.* for every line faulty, which is xviii *l.* a sheet. And the superior officers must answer it for clerks' faults or oversight.

Eighteenth: It doth disgrace superior judges in court, to whom it properly belongeth to correct those misdemeanours according to their oaths and according to discretion, because it is impossible to reduce it to a definite rule.

Nineteenth: This being a penal law, it seems there is

XII. 6. — 1620. Nov. but some commodity sought for, that some that could not continue their first monopoly might make themselves whole out of some penalties.

These arguments prevailed. A committee being named to report on the bill, they reported against it, and the bill was laid asleep.

7. A few years later, mainly through the speeches and the writings of Bacon himself, a feeling began to show itself against the payment of judges, registrars, and clerks by uncertain fees. Each new Parliament saw the subject stirred. In the sessions of 1610 and 1614 bills were introduced and dropped. But the argument for a great and just change of the old system grew under debate. The business of the courts increases daily, and the private causes have long ago become more numerous and important than the King's causes. A plan, therefore, which may have done very well under Edward or Henry, may be a very great evil under James. An unpaid Bench, though all that society wished for its defence under feudal or Brehon law, may obviously become a dangerous power in a highly artificial and litigious age. Such is the reasoning of many wise men. Not that justice is less purely dispensed under Bacon than of yore; the reverse is a conspicuous fact. The improvement has been slow and safe. Hatton danced through his duties with more credit than Bromley; Puckering surpassed Hatton, and Egerton eclipsed Puckering. The last Chancellor of all is the best; in character as in intellect Bacon tops the list. A desire to change the fee system is not the child of discontent, but of growth. Under Edward or

7. Com. Jour., i. 427, 489.

Richard the Commons would have refused a salary to the judge; for a magnificently paid Bench would have seemed, and probably would have behaved, as the ministers of a despotic prince, eager only for their master's work, contemptuous of the intrusion of private causes, callous to the concerns of common men. The profits from private suits quickened the stream of justice; helped to maintain the independence of the upright judge. Yet many men see that a time must come, some think it has come, when, through the growth of riches and the purification of law, the system of various and precarious fees may be wisely abandoned for a system of payments by the State. XII. 7. — 1620. Nov.

8. An old lawyer like Coke knows how to turn this war between an old system and a new sentiment to account. Time has neither cured his jealousy of Bacon nor cooled his resentment towards Yelverton. If the alliance with Buckingham has not yet brought him the Mace and Seals, nor even the barony of Stoke, it has given him the favourite's mother for a friend. Lady Buckingham is busy for her kin; her son John married and made a peer, she wants an heiress for her son Christopher, two or three rich husbands for her penniless nieces, a suitor, may be, for herself. A wife for Kit she may buy with honours, just as she bought Frances Coke for John. But husbands for her nieces, men of high rank and wealth, she can only tempt into the noose with offices and power. She has bought Sir Lionel Cranfield up for one niece. For another she has fixed her eye on James Ley, the rich Attorney of the Court of Wards. Cranfield's wooing

8. Harwood to Carleton, Feb. 6, 1619, S. P. O.; Brent to Carleton, May 29, 1619, S. P. O.; Nethersolo to Carleton, Jan. 18, 1620, S. P. O.; Chamberlain to Carleton, July 14, 1621, S. P. O.; Sign Man., Nos. 44, 53.

XII. 8. — 1620. Nov. has been comic as a play. Falling in love with Lady Effingham, he proposes to her, and is about to marry her, when the news reaches Lady Buckingham, who instantly warns her miserable dependent that if he hopes to thrive at court he must give up Lady Effingham, and marry a young person who is certainly poor in purse, but rich enough for two in friends. Cranfield takes the wife offered to him, with a seat at the Privy Council, and a promise of one of the highest places in the sovereign's gift.

To lure him on, James Ley is made a baronet, and a special act under the Sign Manual remits to him the usual fees for the escutcheon of the bloody hand.

These promotions, moreover, are but stepping-stones to place. What great offices can be got?

9. A beginning has been made with the White Staff. Suffolk was unpopular. The father of Lady Somerset, an avowed Roman Catholic, a suspected pensioner of Spain, he was hated while in power with such bitterness of hate, that when Buckingham's tools charged him with extortion, false dealing, bribery, and embezzlement, to none of which accusations he lay fairly open, no one felt either surprise or pity at the fate of this pernicious peer; and when the Court of Star Chamber, with the sham proofs of his guilt before it, deprived him of the Staff, fined him thirty thousand pounds, and flung him during pleasure into the Tower, the whole country, which knew him to be a Papist and believed him to be a spy, felt the sentence which deprived him of power to do harm run through its veins—a shock of joy.

9. Proceedings against the Earl of Suffolk, Nov. 13, 1619, S. P. O.

10. The profits of this transaction only kindle the greed for more. Yelverton's turn comes next. XII. 10. 1620. Nov.

If not a Puritan in religion, Sir Henry Yelverton has generally spoken and voted with the Puritan party. A man of good parts and unbending character, he has lived on friendly terms with Bacon, with whom he kept his terms at Gray's Inn and served in the House of Commons. His popularity in the House, like the popularity of Bacon, kept him out of office. In the debates, for many years, his name stood side by side with that of Bacon, with whom he spoke for the subsidies and for the Union. The same breeze of favour brought them both into power. When Bacon became Attorney-General he used his influence to procure the Solicitorship for Yelverton. Since then they have acted constantly together, most of all so in the effort to prevent Frances Coke from being forced to marry a man she could not love. Buckingham and the faction of Buckingham have never liked Yelverton. They have not been able to forget the circumstances of his rise, to forgive the obstinacy of his demeanour, or the way in which he has exercised towards them his power. When Bacon got the Seals, Sir James Ley, who wanted to succeed him as Attorney, offered to pay Buckingham ten thousand pounds for the post. Lady Buckingham supported the lover of her niece; but the King, when he put the Seals into Bacon's hands, himself passed the patent of office to Yelverton; who refused to contract an obligation to Villiers, though urged by Archbishop Abbott and the Duke of Lenox to conciliate the chief authority in the bedchamber and the closet. Yelverton's offences are that he has been very manly, and that he occupies a very high post.

10. Bacon's Notes, Lambeth MSS. 936, fol. 133; Chamberlain to Carleton, June 28, 1620, S. P. O.; Archæologia, xv. 27.

XII. 11. — 1620. Nov. 10.

11. Unhappily, in the exercise of powers not well defined, he has given an advantage to his hot and unscrupulous enemy Coke. A new charter has been lately passed to the city of London, with clauses favourable to the citizens, which Coke has no trouble in persuading James trench on the prerogatives of his Crown. It is not pretended that Yelverton took money for inserting these clauses, though it is admitted for the defence that in putting them into the charter he went beyond his powers. Sir Henry submits his error to the King's judgment. Such a course suits neither Buckingham nor Coke, who want his fine and the profits on his place. Cited into the Star Chamber, over which Bacon, as Lord Chancellor, presides, Yelverton admits his indiscretion, and Bacon, who cannot deny his fault, essays to soften his judges. The notes for his speech, written in his own hand, remain at Lambeth Palace. They stand as under:

BACON'S NOTES ON YELVERTON'S CASE.

"Sorry for the person, being a gentleman that I lived with in Gray's Inn, served with when I was Attorney, joined with since in many services, and one that ever gave me more attributes in public than I deserved; and, besides, a man of very good parts, which with me is friendship at first sight, much more joined with an ancient acquaintance. But, as a judge, I hold the offence very great, and that without pressing measure; upon which I will only make a few observations, and so leave it. First, I observe the danger and consequence of the offence; for if it be suffered that the Learned Counsel shall practise the art of multi-

11. Lambeth MSS. 936, fol. 133; Yelverton's Speech in the Star Chamber, Nov. 10, 1620, S. P. O.; Locke to Carleton, Nov. 11, 1620, S. P. O.; Dom. Papers, cxvii. 76.

plication upon their warrants, the Crown will be destroyed in small time. The Great Seal, the Privy Seal, Signet, are solemn things, but they follow the King's hand. It is the bill drawn by the Learned Counsel that leads the King's hand. Next, I note the nature of the defence; as, first, that it was error in judgment. For this, surely, if the offence were small though clear, or great but doubtful, I could hardly sentence it. For it is hard to draw a straight line by steadiness of hand, but it could not be the swerving of the hand. And herein I note the wisdom of the law of England, which termeth the highest contempts and excesses of authority misprisions, which (if you take the sound and derivation of the word) is but mistaken. But if you take the use and acceptation of the word, it is high and heinous contempt and usurpation of authority. Whereof the reason I take to be, and the same excellently imposed, for that main mistaking it is ever joined with contempt; for he that reveres will not easily mistake; but he that slights and thinks of the greatness of his place more than of the duty of his place will soon commit misprisions." XII. 11. — 1620. Nov.

Coke, furious at the sound of such mild, soft words, demands from the Court a sentence of imprisonment for life and a fine of six thousand pounds. Even the judges of the Star Chamber will not go his length. They condemn Yelverton to a fine of four thousand pounds.

12. Two great offices, the Treasury and the Attorney-Generalship, are now for sale. Buyers crowd in; for this system of ruining men in order to vend their posts is new, and no one yet perceives that to purchase a great office is to be in future the first step towards destruction. Dec.

12. Apophthegms in Resuscitatio, 42; Locke to Carleton, Dec. 2, 1620, S. P. O.

XII. 12. — 1620. Dec. Montagu bids for the Staff; and as the purchase, if made, will cause him to leave the King's Bench, Lady Buckingham promotes his suit, that she may raise Ley to the rank of Lord Chief Justice and marry him to her pauper niece. On going down to Newmarket to see the King, Montagu calls to tell Bacon he hopes to bring back with him the Staff. "Take heed what you do, my Lord," says the Chancellor; "wood is dearer at Newmarket than at any other place in England." The Treasury, with the title of Mandeville, costs Sir Henry Montagu no less than twenty thousand pounds.

13. Coventry buys the Attorney's office, and Heath becomes Solicitor in his place. At both ends Buckingham makes his profit. Not to speak of present bribes, he so arranges the game that these two removals bring him, or save him, eight hundred pounds a-year. Lady Buckingham presents the King's Bench to Ley.

These profits and promotions edge the tooth for more.

14. In the crowd of able and unscrupulous men who wait in the ante-room of Villiers, and who build their fortunes on him, there is none more able or more unscrupulous than Sir Lionel Cranfield. He had risen from the grade of a London apprentice, through the useful and unclean offices of a receiver, a contractor, and a surveyor of public income, to the rank of a Knight, a member of Parliament, and a Master of Requests, before he got introduced to the Villiers gang. His life, indeed, has been a study

13. Woodford to Nethersole, Feb. 2, 1621, S. P. O.; Chamberlain to Carleton, Feb. 3, 1621, S. P. O.

14. Doquets, April 1, 1605, Dec. 20, 1607, May 31, 1610; Sign Manuals, No. 49; Minute, Undated Papers of 1607, xxviii. 81; Northampton to Lake, Aug. 12, 1612, S. P. O.; Winwood to Lake, Mar. 29, 1617, S. P. O.; Brent to Carleton, Jan. 31, 1618, May 29, 1619, S. P. O.; Nethersole to Carleton, Jan. 18, 1620, S. P. O.

of safe and decorous villany. He got his first step by making love to his master's daughter; he grew rich by cheating the customs; he won notice from the Council by telling them how to squeeze rich aldermen while lightening the load on such poor devils as himself; he secured the protection of Lord Northampton by a bribe of land which was not his own; he pleased the King by a plan for jobbing away the Crown lands on a more extensive scale; he fixed himself on Buckingham by betraying to him, or to his cause, his first patrons the Howards. Cranfield was the chief instrument in denouncing Suffolk and placing the Staff in Buckingham's hands for sale. To reward this service, Suffolk's son-in-law, Viscount Wallingford, was compelled by threats of prosecution, fine, and ruin, to surrender to Cranfield the Court of Wards. Only a villain of stony heart and brazen cheek could have either done this deed or taken this reward; for these Howards whom he betrayed and spoiled were the very men who brought him into notice, presented him at court, and procured for him a seat in the House of Commons. But, in truth, there is no act of turpitude, short of the vulgar crimes for which men are hung, at which Cranfield, when his interests call, would stop. XII. 14. 1620. Dec.

15. Bishop Goodman, who knew him well and who has left a defence of him, such as it is, confesses for him to more dubious conduct and to more safe rascalities than would have blasted the credit of ten ordinary men. Courting the society of wits and scholars, pretending to wit himself, he has no true knowledge of letters, no true sympathy for such weak fry as poets and playwrights. Pelf is

15. Goodman, i. 295-308; Coryat's Description of a Philosophical Feast, Dom. Papers, lxvi. 2, S. P. O.

XII. 15. his god. His greed of money is a brisk passion, and he has a perfect familiarity with the crooked ways in which money can be got. No rogue can deceive Cranfield. "Tush, man!" he will say, "I was bred in the city." His hand is in every one's purse; and woe to the man on whose place he has set his heart! To pull down judges and councillors for his own advancement and for his patron's gain, is the task to which he has now devoted a busy and teeming brain. Since his marriage with Lady Buckingham's niece he has been suffered to mulct and plunder at his ease; and though some of his victims, mad with their losses, threaten to cut his throat, the audacious speculator in human roguery holds his course as though there were no retribution for injustice, either in this world or in the next. A loftier vista opens to his sight; the Staff and the peerage seem within his reach; but he can only grasp them by the help of that powerful and vindictive woman to whom he lately owed the pleasant alternative of destruction or a wife.

1620. Dec.

16. This great lady, if old enough to have grandchildren, is not, in her own belief, too old to have a lover; and one more subtle than a serpent is at her side. John Williams was the chaplain to Egerton when Egerton held the Seals; but while blessing his master's meat and wine, he kept an eye on business; and when Bacon, coming to York House, offered to continue him in his post, the divine refused, having begun to dream of recovering the custody of the Great Seal from the lawyers to the churchmen. In the face of candidates like Bacon, Montagu, and Coke, such a hope would seem to most men vain; not so to one versed in the arts by which a low order of monks and priests have in all

16. Doquets, Nov. 5, 1619; Welden, 127, 130; Speaker's Note, Feb. 6, 1621, S. P. O.; Chamberlain to Carleton, Mar. 20, 1620, S. P. O.

ages striven to enslave the world. He makes court to Buck- XII. 16.
ingham's mother; convinced that no woman is insensible 1620.
to the flatteries of love, least of all an ambitious woman, Dec.
greedy for pleasure, and past her prime. When he has interested her passions in his career, his fight is well nigh won. She puts him in the way to rise. She recommends him to her son; so shaping his course that, as either Lord Chancellor or as Archbishop of Canterbury, he may soon appear to the world in rank and power a husband less unworthy of herself.

Buckingham finds in Williams a divine of easy virtue and specious talents; who never prates to him about reform, who pays no homage to the primate, who detests the House of Commons with all his soul. At a word from his new mistress or from her son, Williams would not scruple to send his archbishop to the Fleet, or to resist and insult the whole Puritan parliament. A man capable of rising through an old woman's folly and a young man's vices has not been slow to rise. The needy chaplain has become Dean of Salisbury and Dean of Westminster. He is to have the first mitre that falls into the King's gift. If Bacon can be ruined, he is to have the Seals.

17. To three such schemers as an old Chief Justice, a Master of the Court of Wards, and an ex-chaplain to the Lord Chancellor, urged by the sharpest passions of cupidity and revenge, and backed by the whole tribe of Villiers, an accusation against the holder of the Seals is easy enough to frame. The courts of law are full of abuses. The highest officer of the realm has no salary from the state.

17. Gerard to Carleton, May 9, 1617, S. P. O.; Chamberlain to Carleton, May 10, 1617, S. P. O.; Proposals concerning the Chancery, 1650; Council Reg., Sept. 28, 1622.

XII. 17. 1620. Dec. Custom imposes on him a host of servants; officers of his court and of his household; masters, secretaries, ushers, clerks, receivers, porters, none of whom receives a mark a year from the Crown; men who have bought their places, and who are paid, as he himself is paid, in fees and fines. The amounts of half these fees are left to chance, to the hope or gratitude of the suitor, often to the cupidity of the servant or the length of the suitor's purse. The certain fines of Chancery, as subsequent inquiries show, are only thirteen hundred pounds a-year, the fluctuating fines still less; beyond which beggarly sum the great establishments of the Lord Chancellor, his court, his household, and his followers, gentlemen of quality, sons of peers and prelates, magistrates, deputy-lieutenants of counties, knights of the shire, have all to live on fees and presents. The causes heard are many—five or six hundred in every term; the servants of the court are not all honest; some indeed are flagitious rogues. The Chancellor has not taken them voluntarily into his service, nor can he always turn them adrift: their places are their freeholds. Among thousands of suitors, all of whom must have paid fees into the court, half of whom must be smarting under the pangs of a lost cause, it will be strange indeed if cunning, malice, and unscrupulous power combined, cannot find some charge that may be tortured into the appearance of a wrong.

18. They find a fitting instrument for this nefarious search. John Churchill is a wretch whose days have been spent in the most sordid tricks and chicaneries of law. His father was a defaulter in the Court of Wards, he

18. Grant Book, 62; Crump to Churchill, April 14, 1605, S. P. O.; Acton to Churchill, April 14, 1605, S. P. O.; Mabel to Churchill, Aug. 28, 1605, S. P. O.; Ellis Churchill to Churchill, Aug. 29, Sept. 19, 20; Oct. 3, 1605, S. P. O.; Bourchier to Cecil, June 16, 1611, S. P. O.; Chamberlain to Carleton, Mar. 24, 1621, S. P. O.

himself was early in life concerned in a most infamous fraud. Ten years before he lends his services to the enemies of Lord St. Albans, he sold to Sir John Bourchier for a thousand pounds down and eighty pounds a-year for life a manor which Bourchier found that he had previously conveyed to his two uncles for twenty shillings. XII. 18. 1620. Dec.

Bacon, who found this rascal occupying a place of trust in the Court of Chancery, detecting him in an act of forgery and extortion, has been compelled to turn him into the street. Broken for his bad faith, liable to severe punishment for his fraud, sore against his superior, he is just the man for Williams and Coke. Familiar with the court and with its clients, every vicious witness, every maddened loser, every knave who has been exposed, every dupe who has been hurt, are known to him by name and sight. A promise of protection from the law, with a restoration to his place on Bacon's fall, sharpens at once his greed and his hate. He hunts among the victims of Chancery law. Every one who has a grievance, or who fancies he has a grievance, against the Lord Chancellor, he persuades or compels to set down his tale.

19. Ever since the day when Bacon got the Seals, Coke has been scoring up accusations against him. Lists were framed by the Villiers clan, ready to lodge with the King, before the Chancellor had been a year in office. Every month has helped them to new matter. By the industry of Churchill they are now prepared to go before the Star Chamber; but a patriotic proposal, made and pressed on the Crown by Bacon himself, shifts the scene of their accusation from the Star Chamber to the House of Peers.

19. Yelverton to Bacon, Sept. 3, 1617, in Birch, 138.

CHAPTER XIII.

THE ACCUSATION.

XIII. 1. 1. It is no easy berth that Lord Mandeville has bought for his twenty thousand pounds. Soon he becomes aware that greedy eyes are on the Staff, that Buckingham is restless, and the Villiers clan hungry. The more he tries to please, the faster he multiplies his foes. Worse than all, an empty exchequer gapes and yawns. "There is not a mark in the Treasury," he says to Bacon. "Be of good cheer then, my Lord," laughs the Chancellor; "now you shall see the bottom of your business at the first."

1621. Jan.

2. Something must be done. Bacon says, Call a parliament. The spirit of reform runs high and grievances groan on every tongue. To meet the country is to court complaint and risk collision; yet Bacon presses this counsel on the King, for a series of astounding events abroad makes a prompt and permanent reconciliation of the English King and Commons a statesman's gravest care. The Reformed Religion is at stake. Deploying her troops and the troops of her Austrian and Bavarian allies into line, Spain has enveloped Germany in cloud and flame,

1. Bacon's Apophthegms, in Resuscitatio, 42.

2. Council Reg., Dec: 27, 1620; Teynham to Edmonds, Dec. 23, 1620, S. P. O.; Howard to Naunton, Dec. 26, 1620, S. P. O.; Replies of Peers and Bishops on the Palatinate Contributions, Undated Papers, cxviii. 43, 44, 45, 57, 58, 59, 60, S. P. O.; Chamberlain to Carleton, Dec. 22, 1620, S. P. O.; Com. Jour., i. 507, 508.

opening the Thirty Years' War with the sack of the Palatinate and the occupation of Prague. Max is master of the Hradshin, Spinola of the Rhine. XIII. 2. — 1621. Jan.

England, not less than the Protestant faith, is smitten by this blow; for Frederick and the Queen of Hearts are fugitives from Prague; the Winter King and Queen, as the fanciful Germans call them, owning neither principality nor kingdom, not even a home, on German soil.

James, fooled by the Spanish Jew, Gondomar, is mumbling about a Spanish match for his son Charles when surprised in his cups by news that Max and Spinola have robbed his daughter and her children of their native and elective crowns. What can he do? His purse is empty—his credit gone. The goldsmiths of Lombard-street will not cash his bonds. He tries, indeed, to beg funds from a patriotic and warlike people for the recovery of the Palatinate, making of the great Protestant question a small affair of his own household; but the trick is stale, the confidence of his people gone. No man will give or lend. Used as the King is to evasion, he is startled by the shabbiness of his peers in this great need. The Roman Catholic lords refuse on the ground of sickness, debts, and out of town; their true reason, as he ought to know, is their secret sympathy for Spain and Bavaria as the armed protectors of the Roman Church; but the bishops, the deans, the English clergy, with rare exceptions, close their fists with the same hypocritical lies. The goldsmiths speak like men; they will not part with their money because they feel no confidence in the securities offered for their gold. They will send the King, they say, ten thousand pounds as a free gift, rather than lend him a hundred thousand with his crown for pledge.

XIII. 3. — 1621. Jan.

3. Under such discouragements from his courtiers, James listens to the voice of his Chancellor. If Lord St. Albans, in his earlier days, often had to differ from the House of Commons on subsidies and grants, it had never been through want of patriotism in the knights and burgesses; only through their fears lest the moneys granted by them should be wasted, not on the regiments and fleets, but on the Herberts and Carrs. In the hour of peril St. Albans feels that he can trust their patriotism for supplies. The success of Max on the Weissenberg, the devastations of Spinola on the Neckar and the Main, disasters the most signal which have yet befallen the cause of God and the cause of freedom, bring the external danger to our doors. The nation feels its loss. Men mourn the King's indifference to the cries of religion and the claims of nature; and a popular frenzy breaks into accusing prose and song, pouring its subtle fire through the veins and arteries of the land in defiance of the most rigorous proclamations and the most savage censorship of the press.

Bacon would meet the people. Let the King call a parliament together, state the situation, and throw himself heart and soul into the religious war!

4. This time there should be no mistake. The sessions of 1610 and 1614 were lost through quarrels; not one Act passed in either. Grievances must now be met; reasonable men must be gained over to support the Crown. The enemy must see in England only one party, one flag.

3. Thomas Scot's Vox Populi, 1620; Second edition of the same, revised, 1620; Undated Domestic Papers, cxviii. 102, 105, S. P. O.; Murray to Morton, Jan. 11, 1621, S. P. O.

4. Bacon to James, Oct. 10, 1620, Mar. 11, 1621; to Buckingham, Oct. 19, Dec. 19, 1620, printed in Birch, 1763, orig. at Lambeth Palace, 936; Statutes of the Realm, iv. 1207.

Therefore let the King become the leader of the Commons, let the Government adopt the business of reform! XIII. 4. 1621. Jan.

Many voices in the Council rise against these proposals of the Lord Chancellor. But the Queen of Hearts cries loud for help; the bankers will lend no more, the nobles will give no more; so James, with many a pause and doubt, with many a sigh for the days, now gone for ever, when he could chase the stag and quaff his strong Greek wine untroubled by the clash of arms or the brawl of tongues, consents to Bacon's plan.

The Chancellor, with the help of four great lawyers, including Montagu and Coke, draws up a scheme to promote a safer feeling between the House of Commons and the Crown; a scheme of reform as well as of defence; involving an immediate issue of writs, an honest hearing of public complaints, an abolition of unjust or unpopular monopolies, a withdrawal of some of the more obnoxious patents, above all an instant increase of the royal fleet.

5. This statement, addressed through Buckingham to the King, and signed by Bacon, Montagu, Heath, Coke, and Crewe, has not heretofore been printed:

MY VERY GOOD LORD, November 29, 1620.

It may please his Majesty to call to mind, that, when we gave his Majesty our last account of Parliament's business in his presence, we went over the grievances of the last Parliament in 7mo., with our opinion, by way of probable conjecture, which of them are like to fall off, and which may perchance stick and be renewed. And we did also then acquaint his Majesty that we thought it no less

5. Tanner MSS. 290, fol. 33.

XIII. 5. 1621. Jan. fit to take into consideration grievances of like nature which have sprung since the said last session, which are the more like to be called upon by how much they are the more fresh, signifying withal that they were of two kinds. Some proclamations and commissions, and many patents, which, nevertheless, we did not then trouble his Majesty withal, in particular; partly, for that we were not then fully prepared (it being a work of some length), and partly for that we then desired and obtained leave of his Majesty to communicate them with the council-table. But since, I the Chancellor received his Majesty's pleasure by Secretary Calvert that we should first present them to his Majesty with some advice thereupon provisional, and as we are capable, and thereupon know his Majesty's pleasure, before they be brought to the table, which is the work of this despatch. And herein his Majesty may be likewise pleased to call to mind that we then said, and do now humbly make remonstrance to his Majesty, that in this we do not so much express the sense of our own minds or judgments upon the particulars, as we do personate the Lower House, and cast with ourselves what is like to be stirred there. And, therefore, if there be anything, either in respect of matter, or the persons that stand not so well with his Majesty's good liking, that his Majesty would be graciously pleased not to impute it unto us, and withal to consider that it is to this good end that his Majesty may either remove such of them as in his own princely judgment, and with the advice of his council, he shall think fit to be removed, or be the better provided to carry through such of them as he shall think fit to be maintained in case they should be moved, and so the less surprised.

First, therefore, to begin with the patents. We find

three sorts of patents (and those somewhat frequent since the session of 7mo.) which *in genere*, we conceive, may be most subject to exception of grievance; patents of old debts, patents of concealments, and patents of monopolies and forfeitures of, or dispensations with, penal laws, together with some other particulars which fall not so properly under any one head.

In these three kinds we do humbly advise several courses to be taken. For the first two, of old debts and concealments, for that they are in a mode legal (though there may be found out some point in law to overthrow them), yet it would be a long business by course of law, and a matter unusual by act of council, to call them in. But that truth moves us chiefly to avoid the questioning them at the council-table is because if they shall be taken away by the King's act it may let in upon him a flood of suitors for recompense; whereas, if they be taken away at the suit of the Parliament, and a law thereupon made, it frees the King, and leaves him to give recompense only where he shall be pleased to extend grace. Wherefore we conceive the most convenient way will be, if some grave and discreet gentlemen of the country, such as have at least relation to the court, make at fit times some modest motions touching the same: That his Majesty would be graciously pleased to permit some laws to pass (for the time past only), nowhere touching his Majesty's legal power to free his subjects from the same, and so his Majesty, after due consultation, to give way unto them. For the third, we do humbly advise that such of them as his Majesty shall give way to have called in may be questioned before the council-table, either as granted contrary to his Majesty's Book of Bounty, or found since to have been abused in the execution, or otherwise by

XIII. 5. — 1621. Jan.

experience discovered to be burthensome to the country. But herein we shall add this further humble advice, that it be not done as matter of preparation to a Parliament, but that occasion be taken, partly upon revising of the Book of Bounty, and partly upon the fresh example in Sir Henry Yelverton's case of abuse and surreption in obtaining of patents, and likewise that it be but as a continuance in conformity of the council's former diligence and vigilance, which hath already stayed and revoked divers patents of like nature, whereof we are ready to show the examples. Thus, we conceive, his Majesty shall keep his greatness, and somewhat shall be done in Parliament and somewhat out of Parliament, as the nature of the subject and business requires. We have sent his Majesty herewith a schedule of the particulars of these three kinds, wherein for the first two we have set down all that we could at this time discover. But in the latter we have chosen out but some that are most in speech, and which do most tend either to the vexation of the common people, or the discontenting of the gentlemen and justices, the one being the original, the other the representative of the Commons. There be many more of like nature, but not of like weight, nor so much rumoured, which to take away now in a blaze will give more scandal that such things were granted than cause thanks that they be now revoked. The council may be still doing. And because all things may appear to his Majesty in the true light, we have set down as well the suitors as the grants, and not only those in whose names the patent came to our knowledge.

For proclamations and commissions, they are tender things, and we are willing to meddle with them sparingly; for, as for such as do but wait upon patents (wherein his

Majesty, as we conceived, gave some approbation to have them taken away), it is better they fell away by taking away the patent itself than otherwise, for a proclamation cannot be revoked but by a proclamation, which we would avoid. For the Commonwealth Bills which his Majesty approved to be put in readiness, and some other things, there will be time enough hereafter to give his Majesty account, and, amongst them, of the extent of his Majesty's pardon, which, if his subjects do their part, as we hope they will, we do wish may be more liberal than of later times, pardons being the ancient remuneration in Parliament. Thus, hoping his Majesty, out of his gracious and accustomed benignity, will accept of our faithful endeavours and supply the rest by his own princely wisdom and direction; and also humbly praying his Majesty, that, when he hath himself considered of our humble propositions, he will give us leave to impart them all, or as much as he shall think fit, to the lords of his council, for the better strength of his service, we conclude with our prayers for his Majesty's happy preservation, and always rest

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Your Lordship's, to be commanded,

FR. VERULAM, Canc.
H. MONTAGU.
HENRY HEATH.
EDW. COKE.
RAN. CREWE.

6. The King adopts, or appears to adopt, this scheme, and writs go out for the elections. To Bacon's grief, the nation, mad with news from Prague and the Palatinate,

6. Bacon to Buckingham, Dec. 16, 1620; Chamberlain to Carleton, Jan. 20, 1621, S. P. O.; Lake to Carleton, Jan. 20, 1621, S. P. O.; Bacon's Declaration, Jan. 16, 1621, S. P. O.

XIII. 6. 1621. Jan. sends up to Westminster four hundred of the most violent men who have ever met in the Great Council; yet, with straight, swift meaning to do right, to purge abuses in church and state, to launch the army and the fleet against an insolent enemy, even a parliament of fanatics may be turned to good. James, unhappily, loses heart. Fitful and feverish in his moods, he gets alarmed by the returns, puts off the opening, stoops to Gondomar's tales, potters once more about a match in Spain for young Prince Charles. Gondomar regains his power. While Spinola cleanses Cleves and the Palatinate with fire, and the Dutch burghers, smitten into warlike rage, rush to the help of violated cities, James suspends Sir Robert Naunton, Secretary of State, writer of the admirable Fragmenta Regalia from his public functions, for merely giving some hope of English aid to the Protestants of the Rhine!

Jan. 30. 7. When allowed to meet, the knights and squires come together in a turbulent, almost in a savage mood. They listen with bent brows while the poor King maunders about his love for the Church and his hopes of obtaining a Spanish wife for his son, about his dislike for the doings of the Bohemian Protestants and his willingness to spill his own blood in defence of those of the Rhine, and when he goes away to his palace they proceed, in stern bright haste, to purge their benches from any suspicion of Popish taint. A committee searches the vaults. The whole House takes the sacrament in public. A second time, and with added solemnity and publicity, the members swear the oaths of supremacy. Hollis and Britton, Roman

7. James' Speech on opening Parl., Jan. 30, 1621, S. P. O.; Note of Sir George More's Report, Feb. 6, 1621, S. P. O.; List of Sub-Committee on Papists, Feb. 5, 1621, S. P. O.; Chamberlain, Feb. 17, 1621, S. P. O.; Com. Jour., i. 508, 512, 515, 525.

Catholics of good family, are excluded from Parliament. Shepherd is expelled for a jest against the Puritans. A sub-committee revises and edges the penal laws. XIII. 7. — 1621. Feb.

Burgess and knight are now in fearful earnest. No more weakness, no more tolerance! Max and Spinola are at our gates.

8. Coke, returned for Liskeard in Cornwall, offers himself as the champion of every fanatical cry, of every mad antipathy of the hour. He yells for the blood of Papists, for the hoards of monopolists, for the licence of free speech. His age, his rank, his experience of the world, his powers of debate, impose on many of the untried members, now serving their maiden session in the House of Commons. Some take him for a guide; still more accept his aid.

The money bills pass at once. The Chancellor has not reckoned on the patriotism of the land in vain. Indeed, in their haste to man the fleets, to put a moving fort between the coast of Essex and the camps of Calais and Ostend, the burgesses vote the King two subsidies without a dissenting voice.

9. James takes this money, not without joy and wonder; but when they ask him to banish recusants from London, to put down masses in ambassadors' houses, to disarm all the Papists, to prevent priests and Jesuits from going abroad, he will not do it. In this resistance to a new persecution, his tolerant Chancellor stands at his back, and bears the odium of his refusal. Bacon, who thinks the

8. Com. Jour., i. 510, 514, 519, 523; Chamberlain to Carleton, Feb. 10, 17, 1621, S. P. O.; Locke to Carleton, Feb. 16, 1621, S. P. O.; Statutes, iv. 1208.

9. Com. Jour., 518, 523; Speech of a Privy Councillor in the House of Commons, Feb. 16, 1621, S. P. O.; Locke to Carleton, Feb. 16, 1621, S. P. O.; Murray to Carleton, Feb. 17, 1621, S. P. O.

XIII. 9. penal laws too harsh already, will not consent to inflame the country, at such a time, by a new proclamation; the penalties are strong, and in the hands of the magistrates; he sees no need to spur their zeal by royal proclamations or the enactment of more savage laws. Here is a chance for Coke. Raving for gibbets and pillories in a style to quicken the pulse of a Brownist, men who are wild with news from Heidelberg or Prague believe in his sincerity and partake his heat. To be mild now, many good men think, is to be weak. In a state of war philosophy and tolerance go to the wall; when guns are pounding in the gates, even justice can be only done at the drum-head.

1621. Feb.

10. Feeding these fiery humours, Coke gets the ear of an active section of the House, who push him on, their orator of hate, as in happier times they have made his great compeer their advocate of charity and peace. Coke pours on them his gall. No one in the House yet dreams of attacking persons under cover of a wish to expose abuses. Even in the case of Mompesson, whose manufacture of gold and silver thread is supposed by country gentlemen to have raised the price of beer, they declare in their first petition to the King that they want measures of redress, not injury to particular men. But a moderation that might end in a real good to the country is foreign to the nature and designs of Coke.

11. Sure of the ears of a sect, Coke suggests, as a branch of the Grievances, that inquiry should be made

10. Request concerning Sir Giles Mompesson, Feb. 27, 1621, S. P. O.; Locke to Carleton, Feb. 24, 1621, S. P. O.

11. Chamberlain to Carleton, May 10, 1617, S. P. O.; Ordinances made by the Rt. Hon. Sir Francis Bacon for the better Administration of Justice in the Court of Chancery, 1642; Locke to Carleton, Feb. 24, 1621, S. P. O.; Com. Jour., i. 519, 525.

XIII. 11. 1621. Feb.

into abuses in the courts of law, with a view to limit the duration and cost of suits, more especially in the Chancery and the Court of Wards. Doubts arise on this as to whether Parliament has any power over the King's courts; when Bacon, though he fears and distrusts Coke, and complains to the King of his insolence, meets the inquiry with open heart. The Commons are helping to do his work. Reform of the law, and of the courts of law, has been his theme for thirty years. When he got the Seals, his very first speech in Chancery proposed a scheme for removing abuses in fees and suits. His rules for conducting business were in themselves the best of reform bills. More than all, he has introduced into that slow and despotic court the substantial amendments of patience, courtesy, and speed. Not a cause is on the lists unheard. Vices remain; vices of form, of persons, of constitution; vices too strong for a single man, however prompt and powerful, to subdue. If the House of Commons have any search to make into his court he offers them full leave; if they have anything to say on it he bids them freely speak their mind. Without this leave they could not move one step.

Blind to the plot against him, the Chancellor knows no cause why he should fear their search.

12. While Coke, under cover of the public good, is slowly sliming round his prey, the Chancellor, called by his place to decide between the quarrels of two peers, has the honourable misfortune to offend in a peculiar manner the pride of Lady Buckingham and her obedient clan.

This scheming mother has fixed her eyes on Elizabeth Norreys, daughter of Francis Baron Norreys of Rycote,

12. Lords' Jour., iii. 19, 20; Locke to Carleton, Feb. 16, 21, 1621, S. P. O.; Chamberlain to Carleton, Mar. 30, 1621, S. P. O.

XIII. 12. 1621. Feb. as a wife for her son Kit. Elizabeth is rich, for her mother was an heiress, and she is an only child. To soften Lord Norreys, he has been created Viscount Thame and Earl of Berkshire. But these Villiers peers, these Purbecks and Berkshires, gall the more ancient nobles. Berkshire either pushes or strikes Lord Scrope, a haughty peer, whose ancestors have been in the House of Lords since the days of Edward the First. The eleventh baron of his line complains of this rude and upstart earl. Berkshire being in the wrong, Bacon, despite his known connexion with the Villiers people, has the courage to send him to the Fleet prison till he repents his sally and apologises to Lord Scrope.

In a few days Berkshire, on submission to Scrope, regains his freedom, and returns to his seat; making for the upright Chancellor one vindictive enemy the more.

Mar. 2. 13. Free from the personal malevolence and from the virtuous starts which harass Coke, bent on pleasing his great patroness and on winning a rich reward, Cranfield goes straight and swift to the point; attacking Bacon, Montagu, and Yelverton by name, and proclaiming that he does so from a sense of duty to the King. Some one speaks of abuses in the Courts of Wards. Cranfield springs to his feet, and with brazen brow admits the existence of abuses in his court, but impudently declares that the corruptions of the Court of Chancery far exceed the corruptions in the Court of Wards.

14. Time has now come for the Villiers faction to show their game. While Cranfield and Churchill have been

13. Com. Jour., i. 525, 535; Locke to Carleton, Mar. 3, 1621, S. P. O.

14. Council Reg., Mar. 11, 1621; Com. Jour., i. 552, 555; Lords' Jour., iii. 42, 50.

hunting the dens of London for accusations against the Chancellor, Buckingham has been frequent in his calls at York House. Bacon is sick, and nigh to death. Pains rack his head, and gout torments his feet. Yet up to the 11th of March he continues to meet the Council, sitting face to face with Coke and Cranfield, who watch his looks and weigh his words with all the vigilance of spite. At length the treachery of Buckingham grows too plain for even Bacon's eyes to blink. If the House of Commons is slow to strike, it must be whipped into the mood for framing accusations and demanding victims. So Coke brings down a message to the Commons, the most extraordinary and the most criminal ever sent down by a subservient House of Peers. Coke tells the burgesses that the King is pleased with what they have done and what they are doing; that the King advises them to strike while the iron is hot, not to rest content with shadows, but to demand real sacrifices. He tells them, too, that Buckingham has fallen in love with Parliaments; that he urges them to go on, and gives up his brother, a partner with Mompesson, to their wrath. No one mistakes the drift and scope of these words. Up to the date of this extraordinary and wicked speech, no one has breathed a word against Bacon's fame. Chancery, not the Chancellor, has been in fault. Now the plot breaks.

XIII. 14. — 1621. Mar. 2. Mar. 13.

Two days after Coke's message, Sir Robert Phillips, chairman of the committee, informs the House that two witnesses, Kit Aubrey and Edward Egerton, are ready to make complaints against the Lord Chancellor. These men come up to the bar and tell their tale.

Aubrey, having a suit in Chancery against Sir William Brounker, says he was advised by his counsel to send a present of a hundred pounds to the court; which money

XIII. 14. 1621. Mar. 13. he paid to Sir George Hastings, who thanked him for it in his master's name, and wished him better speed in his suit. Egerton, feeling grateful to the Lord Chancellor for a service done to him while Bacon was Attorney-General, sent him, on his going to live at York House, through the hands of Sir George Hastings and Sir Richard Young, a basin and ewer, together with a purse of four hundred pounds.

Each complains that, though he paid his money, he took nothing by his gift.

15. Such charges against the Lord Chancellor are in the last degree frivolous. Fees and gifts like Aubrey's and Egerton's are common as sun and rain. A barrister or a judge, set apart from the world, with no salary from the State, receives, as a rector or a prelate might receive in his day of furnishing or feasting, aid from the public and from his friends. Indeed, the higher clergy growl that the great lawyers get a larger share of this help in need than the zealous servants of God. Bishop Goodman has a curious paragraph in point:

"I did once intend," he says, "to have built a church; and a lawyer in my neighbourhood did intend to build himself a fair house, as afterward he did. One sent unto him to desire him to accept from him all his timber; another sent unto him to desire him that he might supply him with all the iron that he spent about his house. These men had great woods and iron-mills of their own. The country desired him to accept of their carriage. What reason had this man not to build? Truly I think he paid very little but the workmen's wages. Whereas, on the contrary, in the building of my church, where it was so neces-

15. Goodman's Memoirs, i. 295-6; A Selection of the Proceedings of the House of Commons against the Lord Verulam, Lord Chancellor of England, Mar. 15, 17, 19, 1621; Com. Jour., i. 552-563.

sary, for without the church they had not God's service, and no church was near them for nearly four or five miles, truly I could not get the contribution of one farthing. Lord! how are the times altered! It was not so when St. Paul's church in London and other cathedrals were built. God's will be done!" XIII. 15. 1621. Mar.

When Bacon got the Seals his friends and admirers clothed York House for him with plate, arras, furniture, and pictures; some sending books, some money, some cups of silver and gold. In the crowd of presents came Egerton's ewer and purse; came as an expression of gratitude and friendship. No reference was made when they were given to any future act; nor had the Chancellor any knowledge of Egerton's having a suit in court. These facts are stated in the House by Sir Richard Young.

In Aubrey's case it is clear that the fee was paid in the usual way; openly paid; paid by advice of his own counsel; paid to the proper officer of the court. It is no less clear that the Lord Chancellor could have no special personal knowledge of this payment. He does not keep the accounts of his court. Hastings tells the House of Commons that though he paid in Aubrey's money he never mentioned to the Chancellor Aubrey's name. The truth of this story is confirmed in a singular way. When Bacon, on his sick couch, first hears of this payment by Aubrey of a hundred pounds, he pronounces it a lie, and declares that he shall deny it on his honour before the world. He is not aware that it was paid to his clerk.

16. Such charges are too flimsy to stand alone. Except the tools of Coke, of Cranfield, and of Buckingham, men who have received their cue, and the herd who, without opinions

16. A Collection of the Proceedings, &c., Mar. 17, 1621.

XIII. 16. — 1621. Mar.

of their own, are ever to be found on the stronger side, no one in the House of Commons pretends to believe that such facts establish a case against the Lord Chancellor fit to be sent before the House of Lords. Heneage Finch, Recorder of London, next to Coke himself the most learned jurist in the House, declares that the evidence brought in support of the accusation frees the Lord Chancellor from blame.

Mar. 20.

17. Churchill now comes up. Meautys protests that a dismissed servant, an extortioner, a forger, with no hope of escaping pillories and jails except by lies against the Chancellor, shall not be heard against his lord. But Coke and Phillips get him sent, together with a wretch named Keeling, a low solicitor, a partner in Churchill's villanies, to the committee, which comprises the Chancellor's most eager foes. In secret, and without cross-examination, Churchill and Keeling tell their tales, and the hostile members of the committee frame their grand indictment, charging Bacon with bribery and fraud.

The cases on which they count are in number twenty-two. It is amazing they should be no more. In his four years of Chancery business, Bacon has pronounced about seven thousand verdicts; each verdict must have hurt some man in fame or purse; must, by a law of nature, have seemed to the losing man unjust. Does any one love the judge who has pronounced against him? Would the most upright judge feel easy on having to put his honour or estate at the mercy of a jury, each of whom had been mulcted in his court? Yet out of these seven thousand sufferers, the skill of Coke and the roguery of Churchill

17. A Collection of the Proceedings, &c., Mar. 20, 21, 1621; Com. Jour., i. 564.

can only frame an accusation of twenty-two particulars, not one of them to the point! XIII. 17.

18. At first the Chancellor only smiles. Charges against the court over which he sits he expects to hear, and will be glad to consider; charges against himself personally he knows must be malignant and he supposes must be vain. The Council guards the high place he fills with as much care as it guards the Crown. The fate of Lord Clifford and Lady Blount is before the slanderer's eye; and a word from the King or from Buckingham would send Churchill to be whipped through Cheap and fettered in the Clink. When he finds the case go on, he expresses to Buckingham his indignation at the course of Coke: "Job himself, or whoever was the justest judge," he writes, "by such hunting of matters against him as hath been used against me, may for a time seem foul. If this is to be a Chancellor, I think, if the Great Seal lay upon Hounslow Heath, nobody would take it up." But he is not alarmed. "I know I have clean hands and a clean heart." 1621. Mar. 20.

19. As the case proceeds—as Ley, and Coke, and Cranfield, all the tools of Lady Buckingham, take part in it—he begins at length to perceive the bearing of the charge and the purpose of his enemies. The facts of the accusation are nothing, the fact of it is much. As he lies sick at York House, or at Gorhambury, hearing through his friend Meautys of the moil and worry about him in the House of Commons, he jots on loose scraps of paper at his side his answers and remarks. These scraps of paper are at Lambeth Palace. Their contents are embodied in letters to

18. Council Reg., Dec. 30, 1617, Mar. 17, 27, 1618, June 19, 1619, Jan. 20, 1620; Bacon to Buckingham, in Montagu, 33.

19. Bacon Memoranda, Lambeth MSS. 936, fol. 146.

XIII. 19. — 1621. Mar.

Buckingham, to the House of Lords, and to the King: yet they possess an original and abiding interest in their first rude drafts; a stamp of honesty and sincerity which the eye cannot help but see or the heart but feel. On one of these sheets he writes:

"There be three degrees or cases, as I conceive, of gifts or rewards given to a judge.

"The first is—of bargain, contract, or promise of reward, pendente lite. And this is properly called venalis sententiæ, or baratrîa, or corruptelæ munerum. And of this my heart tells me I am innocent; that I had no bribe or reward in my eye or thought when I pronounced any sentence or order.

"The second is—a neglect in the judge to inform himself whether the cause be fully at an end or no what time he receives the gift, but takes it upon the credit of the party that all is done, or otherwise omits to inquire.

"And the third is—when it is received, sine fraude, after the cause is ended; which it seems, by the opinions of the civilians, is no offence."

Only the first of these three cases, a contract to defeat justice for a personal gain, implies moral guilt or invites legal censure.

Bacon adds:

"For the first, I take myself to be as innocent as any babe born on St. Innocent's day in my heart.

"For the second, I doubt in some particulars I may be faulty.

"And for the last, I conceive it to be no fault."

20. The evidence produced against him, as Heneage Finch has told the House of Commons, proves his case

20. A Collection of the Proceedings, &c., Mar. 20, 21, 1621; Com. Jour., i. 563, 578.

XIII. 20. 1621. Mar.

and frees him from blame. Of the twenty-two charges of corruption, three are debts—Compton's, Peacock's, and Vanlore's: two of these, Compton's and Vanlore's, debts on bond and interest. Any man who borrows money may be as justly charged with taking bribes. One case, that of the London Companies, is an arbitration, not a suit in law. Even Cranfield, though bred in the city, cannot call their fee a bribe. Smithwick's gift, being found irregular, has been sent back. Thirteen cases—those of Young, Wroth, Hody, Barker, Monk, Trevor, Scott, Fisher, Lenthal, Dunch, Montagu, Ruswell, and the Frenchmen—are of daily practice in every court of law. They fall under Bacon's third list, common fees, paid in the usual way, paid after judgment has been given. Kennedy's present of a cabinet for York House has never been accepted, the Chancellor hearing that the artisan who made it has not been paid. Reynell, an old neighbour and friend, gave him two hundred pounds towards furnishing York House, and sent him a ring on New Year's day. Everybody gives rings, everybody takes rings, on a New Year's day. The gift of five hundred pounds from Sir Ralph Hornsby was made after a judgment, though, as afterwards appeared, while a second, much inferior cause, was still in hearing. The gift was openly made, not to the Chancellor, but to the officer of his court. The last case is that of Lady Wharton; the only one that presents an unusual feature. Lady Wharton, it seems, brought her presents to the Chancellor herself; yet even her gifts were openly made, in the presence of the proper officer and his clerk. Churchill admits being present in the room when Lady Wharton left her purse; Gardner, Keeling's clerk, asserts that he was present when she brought the two hundred pounds. Even Coke is staggered by proofs which prove

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so much; for who in his senses can suppose that the Lord Chancellor would have done an act known to be illegal and immoral in the company of a registrar and a clerk?

It is clear that a thing which Bacon did under the eyes of Gardner and Churchill must have been in his mind customary and right.

It is no less clear that if Bacon had done wrong, knowing it to be wrong, he would never have braved exposure of his fraud by turning Churchill into the streets.

Thus, after the most rigorous and vindictive scrutiny into his official acts, and into the official acts of his servants, not a single fee or remembrance traced to the Chancellor can, by any fair construction, be called a bribe. Not one appears to have been given on a promise; not one appears to have been given in secret; not one is alleged to have corrupted justice.

21. Very few knights or burgesses take part in the debate: on one side Cranfield, Coke, and Phillips; on the other side Sackville, Meautys, and Heneage Finch make nearly all the list. This charge against Bacon is regarded by citizens and country gentlemen as a mere theme for lawyers—a charge of technical corruption more than of moral guilt. They may very well stand aloof when Coke and Finch, the two most eminent lawyers in the House, express on it the most diverse views. Coke construes every fee into a bribe: Finch denies that any fee can be called a bribe unless it can be shown to have been taken as part of a contract to pervert justice. Finch does not admit of Bacon's three distinctions: he only knows of fees and bribes. A fee paid at an improper time is not a bribe; for how, he asks, can a judge retain in his recollection the

21. Com. Jour., i. 564-67; Proceedings, &c., Mar. 20, 21, 1621.

name of every suitor in his court? The House consents to let the case go up to the Lords, though as an inquiry, not as an impeachment. If they wish the system of Fees amended, as they wish that of Patents, of Protections, of Pardons, of Personal Service, or of Wards and Liveries amended, they do not load the Chancellor with a personal charge. Otherwise Coke. They want to cleanse the court; he to destroy the judge. They see a grievance in the Chancery, as they see one in the Rolls, the Wards, and the King's Bench; he finds the most noxious grievance in the Lord Viscount St. Albans, holder of the Great Seal.

22. To drag the House of Lords on the way down which they have thus far lured the House of Commons, the gang of conspirators procure from James a commission for Sir James Ley to execute the office of Lord Chancellor. Though not a peer, such a commission will make Ley the leader and spokesman of the peers. Seeing what means are used against him, Bacon is warned by a friend to look about him. He calmly answers, "I look above."

23. He knows now that his ruin is meant—that the peers who are to try him will pronounce as Buckingham points. Two or three learned independent men may protest by their votes or absence against these scandalous proceedings; the majority, who wish to dance at Whitehall—to enjoy the favourite's smiles and partake the gifts of his master—will have to speak and act under the eyes of Prince Charles, who is not so much Buckingham's partisan as his slave. It is with Ley and Williams not a question of Bacon's guilt so much as of his place. But his own courtesy and generosity blind him to the vile motives of his persecutors.

22. Lords' Jour., iii. 51.
23. Bacon to James, Mar. 25, 1621; Montagu, 999.

XIII. 23. 1621. Mar. In the loose sheets at his bedside, and afterwards in letters to the King, he writes:

"When I enter into myself, I find not the materials of such a tempest as is now come upon me. I have been never author of any immoderate counsel, but always desired to have things carried suavibus modis. I have been no avaricious oppressor of the people. I have been no haughty, intolerable, or hateful man in my conversation or carriage. I have inherited no hatred from my father; but am a good patriot born. Whence should this be?"

That eye, so quick to see the power of truth, the beauty of nature, cannot see that it is crime enough that he has vexed Lady Buckingham by his independence, and that Williams wants his place.

Yet, knowing his own heart, he can say with honest pride:

"I praise God for it, I never took penny for any benefice or ecclesiastical living.

"I never took penny for releasing anything I stopped at the Seal.

"I never took penny for any commission, or things of that nature.

"I never shared with any reward for any second or inferior profit."

Mar. 19. 24. Ley presides over the peers. On the House resolving themselves into committee, a preliminary fight takes place, which shows the strength of this Villiers gang. When the House is in committee, it is the rule that the Lord Chancellor shall move to his place and sit as a simple peer. Ley, therefore, drops from the woolsack to

24. Lords' Jour., iii. 55; Lambeth MSS. 936, fol. 146.

the back benches, where he must sit, while the Lords are in committee, as a mere assistant, without a vote. His friends propose that he shall resume the chair, even while the House is in committee; and after a strong opposition, though the Prince and Buckingham are present to support their friends, these last carry their proposal, and Ley resumes the chair. This vote decides Bacon's fate. XIII. 24. — 1621. Mar.

In a private interview James now urges the Chancellor to trust in him; to offer no defence; to submit himself to the peers; to trust his honour and his safety to the Crown. It is only too easy to divine the reasons which weigh with Bacon to intrust his fortunes to the King. He is sick. He is surrounded by enemies. No man has power to help him, save the sovereign. He is weary of greatness. Age is approaching. In his illness he has learned to think more of heaven and less of the world. His nobler tasks are incomplete. He has the Seals, and the delights of power begin to pall. To resist the King's advice is to provoke the fate of Yelverton, still an obstinate prisoner in the Tower. Nor can he say that these complaints against the courts of law, against the Court of Chancery, are untimely or unjust. So far as they attack the court, and not the judge, they are in the spirit of all his writings and of all his votes. In his soul, he can find no fault with the House of Commons, though the accidents of time and the machinations of powerful enemies have made him, the Reformer, a sacrifice to a false cry for reform.

25. In answer to a statement sent to him from the Lords, he confesses, as the King has begged him to confess, to the receipt of the several fees and gifts, and to a trust in the servants of his court, often most unwise. April 28.

25. Lords' Jour., iii. 99, 100.

XIII. 25. — 1621. April 28. Most of the cases fall under his third division; two or three under his second; none under his first. Beyond this point his confession and submission do not run. If he takes to himself some share of blame, he takes to himself no share of guilt. He pleads guilty to carelessness, not to crime. But he points out, too, that all the irregularities found in his court occurred when he was new in office, strange to his clerks and registrars, overwhelmed with arrears of work. The very last of them is two years old. For the latter half of his reign as Chancellor, the vindictive inquisition of his enemies, aided by the treachery of his servants, has not been able to detect in his administration of justice a fault, much less a crime.

May 3. 26. The peers condemn. The Villiers faction move to suspend during life his titles of nobility. Abbott and the bench of bishops oppose this motion. Fine, imprisonment, loss of office, are the forms of a political sentence; degradation from nobility is a moral censure. One is only loss of power, the other is loss of honour. A majority of two defeats this scheme of adding infamy to punishment. The second motion passes. Ley has the satisfaction of declaring to his partizans in the House of Peers that the greatest man who ever sat upon its benches is ignominiously expelled, deprived of the Seals, fined forty thousand pounds, and cast into the Tower.

26. Chamberlain to Carleton, May 2, 5, 1621, S. P. O.; Lords' Jour., iii. 105.

CHAPTER XIV.

AFTER SENTENCE.

XIV. 1. 1621. May.

1. BACON makes no complaint. He feels that he is made a sacrifice, an innocent sacrifice, for what he hopes may turn out to be the public good. The court is corrupt, though the judge is pure. In a few brave words he states the case: "I was the justest judge that was in England these fifty years, but it was the justest censure that was in Parliament these two hundred years."

2. With the sentence on Lord St. Albans ends the ministerial passion for reform. No further search is made into Chancery iniquities, nor does the House remember to proceed with its inquiry into the evil practices of the King's Bench and the Court of Wards. The Crown makes a feeble effort of investigation, but only like the House of Commons to let the question drop. If the new Chancellor names a commission to report on Fees, nothing comes of their report. All that is irregular in the mode of conducting legal business grows to be more irregular. Instead of being a court without arrears, it is soon blocked up with clients. The new men invent new methods of extortion.

With the fall of the Reformer ends the immediate prospect of reform. The very topic is adjourned to the times of Naseby and Dunbar.

1. Apophthegms, Spedding's Works of Bacon, vii. 179.
2. Statutes of the Realm, iv. 1208; Welden, 130; King's Proclamation, July 10, 1621; Proposals concerning the Chancery, 1650.

XIV. 3. — 1621. July.

3. All the agents of this memorable persecution get their share of spoil, except the man to whose invention and persistence its success is due. Coke is in disgrace; for the match between his daughter and Sir John Villiers, though crowned with a peerage, has turned out a dismal work. Ley, if he misses the Seals, which Lady Buckingham reserves for the one nearer and dearer, obtains a wife, with the prospect of promotion and a peerage, for which indeed he has not long to wait. Churchill goes back to the trust which he so shamefully abused. Williams steps into the Privy Council, and receives the Seals. "I should have known my successor," says Bacon, on receiving this extraordinary news. Some of the great peers demur to the nomination of such a fellow as Williams to the presidency of their lordships' house; and the King only quells this clamour of the Howards and De Veres by threatening them, if they object to Williams, with the nomination of Richard Neile. To give dignity to Lady Buckingham's friend, he is named successor to Dr. Mountain in the see of Lincoln. Cranfield's merits demand and receive no less magnificent a prize.

Some of the Villiers gang proposed to attack Montagu, the Lord Treasurer, while their friends were pushing the charge against Bacon. Coke hinted a fault before the House of Peers, while Sir George Paul, one of Lady Buckingham's crew, whose zeal had been inflamed by the gift of a lucrative office under Ley, petitioned the House of Commons against him. But there was danger in attempting too much; and a word from Buckingham put a stop to the indiscreet initiative of Paul,

3. Chamberlain to Carleton, June 23, July 14, Oct. 13, Nov. 10, 1621, S. P. O.; Locke to Carleton, Sept. 29, 1621, S. P. O.; Lords' Jour., iii. 42, 81; Paul to Buckingham, July 12, 1621, S. P. O.; Sign Manuals, xii. No. 66; Grant Book, 309; Doquet, Sept. 12, 1622.

his new clerk of the King's Bench. The attack is XIV. 3.
but deferred. When Bacon is in the Tower, Cranfield, 1621.
now a baron, opens his siege against the Treasury. July.
Montagu is rich and timid, and Cranfield offers him no choice but that of a cutthroat on Stamford Hill—Your office or your life! Where Bacon has gone down Montagu cannot hope to stand. If he will allow himself to be robbed of a post which has cost him twenty thousand pounds, and of places about it which have cost his kinsmen and servants twenty thousand pounds more, the victorious party promise to secure him the undisturbed enjoyment of his peerage, and to cover the shame of his fall by reviving for him the old office of President of the Council. Montagu succumbs. Sept. 29.
Cranfield gets the White Staff, and after the birth of a son the Earldom of Middlesex.

4. These ends of the conspiracy attained, the prosecu- 1622.
tion of Bacon, the heat of the Government for reform, dies Mar.
off. Buckingham has no implacable resentment against the great Chancellor; he only wanted the Mace and Seals. When he has got these baubles into the hands of Williams, he continues to express, and probably to feel, the warmest affection for Bacon's person, the most unbounded admiration for his parts. Indeed, he wishes to be thought the friend of Lord St. Albans, as Greville was the friend of Sir Philip Sydney. Meautys, the faithful henchman, in his notes to his master, hints at something savouring of an intrigue to procure from him confessions of friendship and obligation to the powerful favourite. Bacon's situation grows less painful; his fine is remitted, his freedom restored. An attempt to overthrow some of his judg-

4. Meautys to Bacon, Mar. 3, 1622, Lambeth MSS. 936; Spedding's Note, i. 9; Rushworth's Historical Collections, i. 31.

XIV. 4. ments fails. Of the thousands of decisions pronounced by him in the Court of Chancery not one is reversed.

1622. Mar. 5. Among his books and his experiments, with his horse and his game of bowls, he soon in the country air recovers his health, and with his health his spirits and his wit. He enriches the Essays with a thousand exquisite touches. When the Jew Gondomar, recalled to Spain by an order from the King, sends to wish Bacon a good Easter, the wit replies, "Tell the Count I return him the compliment and wish him a good Passover." Montagu comes to Gorhambury to complain how ill he has been used by the Villiers faction; "Why, my Lord," says Bacon, "they have made me an example and you a president." Poor in everything but his good spirits and his capacity for work, he toils at his History of Henry the Seventh, at the new edition of his Advancement of Learning, at his Advertizement touching a Holy War. These writings, and the works which have gone before them, extend his fame throughout
1623. Europe. But his debts weigh on him. He is anxious for work, even for work of the humblest kind. In 1623 Thomas Murray, secretary to Prince Charles, and Provost of Eton, falls sick and is like to die. Bacon offers himself as a candidate. Sir William Beecher, clerk of the Privy Council, a creature of Villiers, and Sir Henry Wotton, poet, wit, ambassador, are his opponents. Beecher has a promise from Buckingham of the succession to Murray; Buckingham is away in Spain with the Prince of Wales, fanning his face at bull-fights, leering at Castilian dames. Sir Edward Conway, Secretary of State, is now the immediate influence near the King; and Bacon, who comes

5. Apophthegms, in Spedding's Bacon, vii. 181; Bacon to James, Mar. 25, 1623; Lambeth MSS. 936; Bacon to Conway, Mar. 25, 1623, S. P. O.

back to London, to his old lodgings in Gray's Inn, writes to solicit his good will: XIV. 5. 1623.

BACON TO CONWAY.

GOOD MR. SECRETARY, Gray's Inn, 25th of March, 1623.

When you did me the honour and favour to visit me you did not only in general terms express your love unto me, but as a real friend asked me whether I had any particular occasion wherein I might make use of you. At that time I had none; now there is one fallen. It is that Mr. Thomas Murray, Provost of Eton (whom I love very well), is like to die. It were a pretty cell for my fortune. The college and school I do not doubt but I shall make to flourish. His Majesty, when I waited on him, took notice of my wants, and said to me that as he was a king he would have care of me. This is a thing somebody must have, and costs his Majesty nothing. I have written two or three words to his Majesty, which I would pray you to deliver. I have not expressed this particular to his Majesty, but referred it to your relation. My most noble friend the Marquis is now absent. Next to him I could not think of a better address than to yourself, as one likest to put on his affections.

I rest your very affectionate friend,

FRANCIS ST. ALBANS.

Conway supports the suit.

6. James allows of Bacon's great claims. He will think of it; he even hopes to arrange it; satisfying Beecher with another place. But Beecher is Buckingham's crea-

6. Bacon to Conway, Mar. 29, 1623, S. P. O.; Do., Mar. 31, 1623, Lambeth MSS. 936.

XIV. 6. — 1623. ture; Buckingham is away; till he comes back nothing can be done. Conway's answer is in the State Paper Office; its spirit may be guessed from the following note of Bacon in reply to it:

BACON TO CONWAY.

GOOD MR. SECRETARY, Gray's Inn, 29th of March, 1623.

I am much comforted by your last letter, wherein I find that his Majesty of his great goodness vouchsafeth to have a care of me, a man out of sight and out of use, but yet his (as the Scripture sayeth, "God knows those that are his"). In particular, I am very much bounden to his Majesty, and I pray (Sir) thank his Majesty most humbly for it, that, notwithstanding the former designment of Sir A. Beecher, his Majesty (as you write) is not out of hope in due time to accommodate me of this cell and to satisfy that gentleman otherwise. Many conditions (no doubt) may be as good for him, and his years may expect them. But there will hardly fall (especially in the spent hour-glass of such a life as mine) anything so fit for me, being a retreat to a place of study so near London, and where (if I sell my house at Gorhambury, as I purpose to do, to put myself into some convenient plenty), I may be accommodate of a dwelling for the summer time. And, therefore, good Mr. Secretary, further this his Majesty's good intention by all means if the place fall. For yourself you have obliged me much; I will endeavour to deserve it. At best nobleness is never lost, but rewarded in itself. My Lord Marquis I know will thank you. I was looking over some short papers of mine touching usury, how to grind the teeth of it, and yet to make it grind to his Majesty's mill in good sort, without discontent or perturbation: if you think good I will perfect it, as I send it to

his Majesty as some fruits of my leisure. But yet I would not have it come as from me, not from any tenderness in the thing, but because I know well in the courts of princes it is usual *non res, sed displicet auctor.*—God keep you. XIV. 6. 1623.

I rest your very affectionate friend, much obliged,

FR. ST. ALBANS.

Two days later he writes again. What a mournful, yet what a manful tone! He has sold York House, the place of his birth; he must now sell Gorhambury, the scene of his happiest hours and most splendid toils. Yet how inspiring, in the depths of sorrow, to see the great man bear his burthen bravely: no false pride; no arrogant remembrance of the Mace, the Seals, the Privy Council, the Royal table; only a simple hope of finding in his old age a sphere of duty in which he can win bread by honest work!

7. He writes to the King:

BACON TO JAMES. Mar. 29.

IT MAY PLEASE YOUR MOST EXCELLENT MAJESTY,

Now that my friend is absent (for so I may call him still, since your Majesty, when I waited on you, told me that fortune made no difference) your Majesty remaineth to me king and master, and friend and all. Your Beadsman, therefore, addresseth himself to your Majesty for a cell to retire unto. The particular I have expressed to my very hon. friend, Mr. Sec. Conway. This help (which costs your Majesty nothing) may reserve me to do your Majesty service, without being chargeable unto you, for I will never deny but my desire to serve your Majesty is of

7. Bacon to James, Mar. 29, 1623, S. P. O.; Bacon to Conway, April 7, 1623, S. P. O.

XIV. 7. — 1623. Mar. 29. the nature of the heart, that will be *ultimum moriens* with me. God preserve your Majesty, and send you a good return of your treasure abroad, which passeth your Majesty's Indian fleet.

Your most humble and devoted servant,

FRANCIS ST. ALBANS.

Murray grows daily worse. Bacon writes again to Conway:

April 7.

BACON TO CONWAY.

GOOD MR. SECRETARY, Gray's Inn, 7th of April, 1623.

I received right now an advertisement from a friend of mine who is like to know it, that Mr. Murray is very ill (and that, so are the words of his letter) not only his days but his hours are numbered. You have put my business into a good way, and (to tell you true) my heart is much upon this place, as fit for me, and where I may do good. Therefore, Sir, I pray you have a special eye to it, and I shall ever acknowledge it to you in the best fashion that I can. Resting your very affectionate friend,

FR. ST. ALBANS.

Sept. 8. Murray dies. Time passes on. Buckingham still away, the King can form no resolution. Six months later the place is still vacant. Bacon writes again:

BACON TO CONWAY.

Gray's Inn, this 4th day of September, 1623.

GOOD MR. SECRETARY,

Let me, now his Majesty is in sight of Eton, make my most humble claim to his Majesty's gracious promise

8. Bacon to Conway, Sept. 4, 1623, S. P. O.; Sign Man., xvi., No. 42.

by you signified, which, as I understand it, was, that if Mr. Beecher, who had a promise upon my Lord of Buckingham's score, might otherwise be satisfied (which his Majesty would endeavour), I should have my desire. Mistake me not, as if I expected this should be done and perfected till my noble, true friend comes back. But I pray refresh it only in his Majesty's memory. It were strange if I should not do as much good to the College as another, be it square cap or round. XIV. 8. 1623. Sept.

I always rest your affectionate friend and servant,

ST. ALBANS.

Buckingham is adverse to his suit. In small things, as in great things, though he professes a boundless admiration for Bacon's parts, he chooses to have about him men more pliable and more frail. Sir William Beecher, a gentleman unfit for such a post as Murray's, takes a promise of 2500*l.* in lieu of the succession; but Sir Henry Wotton, an honourable man and a good scholar, though of far less various learning and far less exalted virtue than Lord St. Albans, gets the Provostship of Eton. 1624.

9. It is the last time he troubles Buckingham or James. Henceforth he devotes himself to his experiments and his books; to the collections for his Sylva Sylvarum; to his Historia Vitæ et Mortis; to the construction of his New Atlantis; to the enlargement of his Essays. He is a greater man now in his study than when the Mace was borne before him, and the Lord Treasurer and Secretary of State rode on his right hand and on his left. He lives in seclusion; but his writings fill the whole world with his fame.

XIV. 10. 1624.

10. From the seclusion of Gorhambury or Gray's Inn he watches the men who have ruined his fortune and stained his name fall one by one. Before their year of triumph ran out, Coke's intolerable arrogance plunged him into the Tower, from which he escaped, after eight months' imprisonment, to be permanently degraded from the Privy Council, banished from the court, and confined to his dismal ruin of a house at Stoke. The sale of Frances Coke to Viscount Purbeck is a dismal failure. She makes the man to whom she was sold perfectly miserable; quitting his house for days and nights; braving the public streets in male attire; falling in guilty love with Sir Robert Howard; shocking even the brazen sinners of St. James's by the excessive profligacy of her life. Purbeck steals abroad to hide his shame. At last he goes raving mad. In less than three years from the day of that gorgeous feast at court, Buckingham would have given his marquisate to untie the knot. All that Bacon foresaw has come to pass. Sir Robert Howard, a son of that Earl of Suffolk whom Buckingham broke and disgraced, pursues his pleasure and his revenge in the amour with Lady Purbeck, willing to vindicate by his sword the injury done by his lawless love. Buckingham, who lacks courage either to defend his family honour or to renew the scandalous scene of the Essex divorce, in place of crossing blades with Howard in Marylebone Park, proceeds against his sister-in-law for incontinence, and procures from the Ecclesiastical Court a sentence condemning her to stand in a penitential white sheet at the door of the Savoy church. It is easier to condemn than to catch the nimble profligate,

10. Council Reg., Dec. 27, 1621, Aug. 6, 1622; Chamberlain to Carleton, Aug. 18, Dec. 1, 1621, June 8, 1622, S. P. O.; James' Reply to the Commons, Dec. 11, 1621, S. P. O.; Locke to Carleton, Jan. 1, 1622, S. P. O.; Buckingham to Crew, Feb. 11, 1625, S. P. O.

an accomplished player at hide and seek. Once the pursuivants catch a glimpse of her near an ambassador's house; they chase; she slips from her coach, runs through the gates, changes clothes with a page, who minces like a lady into her seat, and tears down the Strand with Buckingham's men at the wheels. She trips laughingly away, while the officers of justice follow the coach and seize the boy. XIV. 10. 1624.

11. The very next Parliament which meets in Westminster strikes down two of his foes. Three years after his return to that trust he so grossly abused, Churchill comes before the House of Commons as a culprit. He has been at his tricks again, and is now solemnly convicted of forgery and fraud. Two months after Churchill's condemnation Cranfield is in turn assailed. Charges of taking bribes from the farmers of customs, of fraudulent dealing with the royal debts, of robbing the magazine of arms, are proved against him; when, abandoned by his powerful friends, he is sentenced by the House of Commons to public infamy, to loss of office, to imprisonment in the Tower, to a restitutionary fine of two hundred thousand pounds! "In future ages," says a wise observer of events, "men will wonder how my Lord St. Albans could have fallen, how my Lord of Middlesex could have risen." May.

12. The most subtle of his enemies falls the last. After his promotion to the Seals and mitre, Williams, silly enough to dream that he could stand alone, began to neglect Lady Buckingham for younger and less exacting women. Mur- 1625. Nov. 1.

11. Com. Jour., i. 591, 766; Nicholas to Nicholas, Mar. 17, 1624, S. P. O.; Chichester to Carleton, May 12, 1624, S. P. O.; Locke to Carleton, May 13, 1624, S. P. O.

12. Suckling to Buckingham, Oct. 24, 1625, S. P. O.; Williams to Goring, Oct. 30, 1625, S. P. O.

XIV. 12. — 1625. Nov. 1. murs now rise against him; slowly at first, but gathering strength as his ingratitude, his arrogance, and his cupidity prove themselves month by month. When Lady Buckingham withdraws from him her countenance, he falls at once from his fatal height—is stripped of the Seals with every mark of ignominy—and is driven, with a sullied reputation, though with sharpened powers for mischief, from the Court of Chancery into the more settled scenes of ecclesiastical strife.

13. Were there space in his generous heart for vengeance, how the passions of the great Chancellor would glow and leap as these adversaries fall before his eyes like rotten fruit! Never was the wisdom of counsel proved more signally, the vindication of conduct more complete. All that he foresaw of evil has come to pass. He does not, indeed, live to behold that fiery joy which lights and shakes the land when Buckingham's tyranny drops under an assassin's knife; but he lives long enough to find himself justified by facts on every point of his opposition to the scandalous family policy and private bargains of the Villiers clan. Frances Coke has made Sir John a perfectly bad wife. Elizabeth Norreys has run away from Sir Christopher, giving up her beauty and her fortunes to Edward Wray. Lady Buckingham herself, after moving earth and hell to pull down Abbott and make her lover an archbishop, has had to endure the pain and mortification of seeing the creature of her fantasy neglect her charms. Coke, Cranfield, Churchill, Williams, have been alike overwhelmed with misery and shame. But he feels no quickening pang of joy at the discomfiture

13. Chamberlain to Carleton, Mar. 30, 1622, S. P. O.; Bacon's Will; Montagu, xvi. part ii. 447; Dom. Papers of Charles the First, xxiv. 59.

of these enemies. From the moment of his own trial, he has accepted the position of a necessary sacrifice. He breathes no word against the House of Commons, nor questions the justice of the House of Lords. He speaks no evil word of the men who made themselves the instruments of his fall. But he holds to his nobler intellectual work, and the Father of Experimental Philosophy dies at last in the very act of an experiment, quitting the world in peace with all men, leaving a young widow, who, like her mother, will marry again, and appealing for the vindication of his fame to time.

XIV. 13. — 1625. Nov. 1.

APPENDICES.

No. 1.

LADY ANN BACON TO LORD BURGHLEY.

(Original in Lansdowne MSS., xliii. 48.)

Feb. 26, 1585.

I KNOW well, mine especial good Lord, it becometh me not to be troublesome unto your honour at any other time, but now chiefly in this season of your greatest affair and small or no leisure; but yet, because yesterday morning, especially as in that I was extraordinarily admitted, it was your Lordship's favour, so, fearing to stay too long, I could not so plainly speak, nor so well receive your answer thereto, as I would truly and gladly in that matter, I am bold by this writing to enlarge the same more plainly, and to what end I did mean.

If it may like your good Lordship, the report of the late conference at Lambeth hath been so handled, to the discrediting of those learned that labour for right reformation in the ministry of the Gospel, that it is no small grief of mind to the faithful preachers; because the matter is thus by the other side carried away, as though their cause could not sufficiently be warranted by the word of God. For the which proof they have long been sad suitors, and would most humbly crave still both of God in heaven, whose cause it is, and of her Majesty their most excellent

APP. I. Sovereign here in earth, that they might obtain quiet and convenient audience either before her Majesty herself, whose heart is in God's hand to touch and to turn, or before your honours of the Council, whose wisdom they greatly reverence. And if they cannot strongly prove before you out (of) the Word of God that reformation which they so long have called and cried for, to be according to Christ's own ordinance, then to let them be rejected with shame out of the Church for ever. And that this may be the better done to the glory of God and true understanding of this great cause, they require, first, leave to assemble and to consult together purposely, which they have forborne to do for avoiding suspicion of private conventicles. For hitherto, though in some writing they have declared the state of their, yea God's cause, yet were they never allowed to confer together, and so together be heard fully. But now some one, and then some two, called upon a sudden unprepared, to four prepared to catch them, rather than gravely and moderately to be heard to defend their right and good cause.

And, therefore, for such weighty conference they appeal to her Majesty and her honourable wise Council, whom God hath placed in highest authority for the advancement of his kingdom, and refuse the bishops for judges, who are parties partial in their own defence, because they seek more worldly ambition than the glory of Christ Jesus.

For my own part, my good Lord, I will not deny but as I may I hear them in their public exercises as a chief duty commanded by God to widows; and also I confess, as one that hath found mercy, that I have profited more in the inward feeling knowledge of God's Holy will (though but in a small measure) by such sincere and sound open-

ing of the Scriptures by an ordinary preaching, within these seven or eight years, than I did by hearing odd sermons at Paul's well nigh twenty years together.. I mention this unfeignedly, the rather to excuse this my boldness toward your Lordship, humbly beseeching your Lordship to think upon their suit, and, as God shall move your understanding heart, to further it. And if opportunity will not be had as they require, yet I once again in humble wise am a suitor unto your Lordship that you would be so good as to choose two or three of them which your honour liketh best, and license them before your own self, or other at your pleasure, to declare and to prove the truth of the cause with a quiet and an attentive ear.

I have heard them say ere now they will not come to dispute and argue to breed contention, which is the manner of the bishops' hearing; but to be suffered patiently to lay down before them that shall command (they then excepted) how well and certainly they can warrant, by the infallible touchstone of the Word, the substantial and main ground of their cause. Surely, my Lord, I am persuaded you should do God acceptable service herein; and for the very entire affection I owe and do bear unto your honour I wish from the very heart that, to your other rare gifts sundry-wise, you were fully instructed and satisfied in this principal matter so contemned of the great Rabbis, to the dishonouring of the Gospel so long amongst us.

I am so much bound to your Lordship for your comfortable dealing toward me and mine, as I do incessantly desire that by your Lordship's means God's glory may more and more be promoted, the grieved godly comforted, and you and yours abundantly blessed. None is privy to this; and, indeed, though I hear them, yet I see them

App. I. very seldom. I trust your Lordship will accept in best part my best meaning.

In the Lord dutifully and most heartily,

A. Bacon.

For thinness of the paper I write on the other leaf for my ill eyes.

II. 1.

No. II.

Lady Bacon to Anthony Bacon.

(Orig. Lambeth MSS. 648, fol. 110.)

May 29, 1592.

I am glad and thank God of your amendment; but my man said he heard you rose at three of the clock. I thought that was not well, so suddenly from bedding much, to rise so early newly out of your diet. Extremities be hurtful to whole, more to the sickly. If you be not wise and discreet for your diet and seasoning of your doings, you will be weakish I fear a good while. Be wise and godly too, and discern what is good and what not for your health. Avoid extremities. What a great folly were it in you to take cold to hinder your amendment, being not compelled, but upon voluntary indiscretion, seeing the cost of physic is much, your pain long, and your amendment slow, and your duty not yet done! Give none occasion by negligence. You go, as is commonly said, of your own errands. I like not your lending your coach yet to any lord or lady; if you once begin you shall hardly end; but that in hope you shall shortly use it, I would it were here, to shun all offending. It was not well it was so soon seen at the Court, to make talk, and at last be mocked or

misliked. Tell your brother I counsel you to send it no more. What had my Lady Shrewsbury to borrow your coach! Your man for money, and somebody else for their vain credit, will work you but displeasure and loss, and they have thanks. Learn to be wise in things of this sort, and do nothing rashly. In haste. Late this Sabbath. Farewell. Take care of your health and please God. 'App. II. 1.

A. B.

LADY BACON TO ANTHONY BACON. II. 2.

(Orig. Lambeth MSS. 649, fol. 65.)

April 15, 1593.

My neighbour upon going to London for his own business told me of it suddenly after this Sabbath forenoon sermon that he must go to London, and that early to-morrow. I am desirous to know how your health is; how matters after Parliament go to private folk, namely, as concerns your cousin Hoby; and, if you will, your brother too. God grant us all faithful hearts in piety and religion, and wise and discreet in godly practices. If any lack wisdom, ask of the Lord, and receive, as saith the Apostle James, his grace with all Christian fortitude to bear up a good conscience. I haste to the church again. God make you able to hear public instructions to your great comfort! I could willingly hear of Barly proceedings; for your state of want of health and of money, and some other things touching you both, gives me no quiet. God bless you both with good and godly increase in Christ.

Easter, as they say.

Your mother,

A. B.

APP. II. 3.

LADY BACON TO ANTHONY BACON.

(Orig. Lambeth MSS. 649, fol. 100.)

SON, Gorhambury, June 26, 1593.

Goodman Grinnell of Barly came this morning hither very sad upon a speech he had heard you were about to let his farm to another, yet hopeth better, both for your promise and the receipt of some money upon it. Good son, keep your word advisedly spoken; it is a Christian credit. Be not suddenly removed nor believe hastily, but know whom and how. Sure, if that disposition be found and observed in you once, it will be wrought upon to your hinderance in estimation and profit, besides that the grandfather, father, and son have there continued —I think once upon a sale of wood in your absence I heard that the Grinnells had dwelled there above a hundred and twenty years. The man is willing to do as much as another; the same person that now would I wot not. What reversion in your absence was backward, and rather hindered wood sales and other things, he would fain have had Goodman Fynch with him to you, but I can in no wise now spare him. Mowing and other businesses come on; it is here marvellously hot and dry, and grass burnt away. God help us! I pray you comfort Grinnell's heart and keep just promises justly, and be not credulous lightly; and so the Lord bless you and guide you with His Holy Spirit in His fear! Be not too frank with that Papist; such have seducing spirits to snare the godly. Be not too open. Sit not up late, nor disorder your body, that you may have health to do good service when God shall appoint.

Your careful mother,

A. BACON.

LADY BACON TO ANTHONY BACON.

APP. II. 4.

(Orig. Lambeth MSS. 649, fol. 232.)

Oct. 8, 1593.

I pray God keep you safe from all infection of sin and plague. It hath pleased the Lord to put me in remembrance, on both sides of me, by taking two of the sickness, very necessary persons to me, a widow, specially the goodman Fynch, whose want I shall have cause to lament daily. His careful, and skilful, and very trusty husbanding my special rural businesses every way procured me, and that even to the very last, much quiet of mind and leisure to spend my time in godly exercises, both public and private. I confess I am so heartily sorry for his death as I cannot choose but mourn my great loss thereby, and now in my weakish sickly age; but the Lord God doth it to humble His servants and teach them to draw nearer to Him in heart unfeignedly, which grace God grant me to be effectual in me. I humbly beseech His pity. Surely, son, one cannot value rightly the singular benefit of such a one in these dissolute and unfaithful days, but by wise consideration and good experience. It may be you know it ere this, by somebody's posting in jollity; but be wise and learn in time to your own good estimation, and be not readily carried either to believe or do upon unthrifts' pleasing and boasting speeches, and but mockeries, in order to make their profit of you and to bear out their unknown to you disordered unruliness. Among their peradventure pot-fellowship companions there will be craving of you, and I wot not what. Promise not rashly, be hic juris; you shall be better esteemed both of wise and unwise before that punitive experience shall teach you to your cost. It is

App. II. 4. said that Thistleworth is visited. Some talk how Fynch should take it there in baiting his horse; but now he is gone. So was the will of God, who bless you and send you much good of all your bodily physic, and make you strong to do His holy will to your comfort. Be slow in speaking and promising, lest you repent when it is too late. Commend me to your brother. Look well to your house and servants. Fear late and night roads, now towards winter.

Your sad mother,

A. Bacon.

II. 5. Lady Bacon to Anthony Bacon.

(Orig. Lambeth MSS. 650, fol. 223.)

Sept. 7, 1594.

I send you herein Crosby's letter, because you may better understand by it the words of the Sheriff to himself, if the State be brought in question. I am sorry of the last act you so earnestly required, whereto I was hardly drawn, as you know, for doubt of danger. Doubtless your brother Nic hath done somewhat in the Exchequer. You thought it could not come to his ear so soon; but you see you are deceived. You shall do well to send for the attorney and mine—Marsh I do mean. If he should strain upon the manor to trouble me and my tenants, I have brought myself in good case by your means. Mr. Crew is not in city I hear. It is the worse. The Sheriff threateneth to strain before the next audit, which is before Michaeltide, which is not three weeks hence at uttermost. You had not need to slack this, as Brocket's matter is to my hindrance. Some money I had need of for to have pay the suit by his cousin. I have not of mine own at this present for my

house and other charges 6*l.* in money: I am ready to borrow 10*l.* of my neighbours if I can. I send purposely. I pray you let me know certainly what way you take to help it with speed. If it once come in Exchequer suit, one trouble will follow another. Prevent therefore. I would fain have gone to London for physic next week, but I perceive I cannot, being weakish to ride so far, and the way is but ill for a coach for me, besides the wet weather. I will desire Mistress Morer to be with me here for that time. If you prove your new in hand physic, God give you good of it. My Lord Treasurer about five years past was greatly pressed by the great vaunt of a sudden start-up glorious stranger, that would needs cure him of the gout by boast; "but," quoth my Lord, "have you cured any? Let me know and see them." "Nay," said the fellow, "but I am sure I can." "Well," concluded my Lord, and said, "Go, go, and cure first, and then come again, or else not." I would you had so done. But I pray God bless it to you, and pray heartily to God for your good recovery and sound. I am sorry your brother and you charge yourselves with superfluous horses. The wise will but laugh at you both; being but trouble, besides your debts, long journeys, and private persons. Earls be Earls. Your vain man straitly by his sloth and proud quarrel-picking conditions sets all your house at Redbourn out of quiet order by general complaint, as I hear. Lately young Morer was smote in the eye by him, and I pray God you hear not of some mischief by him. But my sons have no judgment. They will have such about them, and in their house, and will not in time remedy it before it break out in some manifest token of God's displeasure. I cannot cease to warn as long as I am a mother that loveth you in the Lord most dearly, and as Seneca by philosophy only could say,

APP. II. 5. in warning a friend I would rather lack success (which yet I deprecate) than fidelity.

Your mother,

A. BACON.

The heavenly preacher saith, Each thing hath his opportunity and due season: well may you do as blessed in the Lord!

II. 6. LADY BACON TO ANTHONY BACON.

(Orig. Lambeth MSS. 650, fol. 75.)

March, 1595.

One of the prophets, Nahum I think, saith that the Lord hath His way in the whirlwind, the storm, and tempest, and clouds are the dust of His feet. The wind hath had great power: it hath thrown off a number of tiles, some fruit-trees and one or two other pales, posts and all, and stone pinnacle; and that I am sorriest for, hath blown up a sheet of lead on one side of the gate where the dial stands. But, in my conscience, your French cattle, Jaques and all, had before loosened it with hacking lead for pellets. I pray burn this. Let them not see it; but hurtful they were. I desire to know how you did and do. I pray be careful to be well to your own comfort and good desire of your friends, with avoiding cold-taking continually and preventing by wariness. Sustain and abstain, and be cheerful and sleep in due time. I liked nothing my cousin Kemp's horse I sent you. I will not Graham's. My time is in God's hand, and not at his appointment: he ever stood upon a month's warning in my life. Some unknown trick there is; it will not serve with me doubtless. And shall Elsdon and Brocket thus dally and mock still? If God give me strength I will to London for these two causes, by His merciful guiding.

A. B.

Lady Bacon to Anthony Bacon.

App. II. 7.

(Orig. Lambeth MSS. 650, fol. 69.)

March, 1595.

I came yesterday home, I thank God well, though very weary, by that missing the right way we roved and made it longer. I found a very sick and sore altered man. One might by him see what is the change wrought by the hand of the Highest in correcting. He hath been, as you know, a strong-armed man, and active in such exercises of strength as shooting, wrestling, casting the bar; and whilst he was with me I never used footstool to horseback; but now, God help him, weak in voice, his flesh consumed, his hands, bones, and sinews; but his belly up to his very chest swollen and hoved up, and as hard withal as though one touched wainscot. I thank the Lord that put me in the mind to visit him with a Christian desire to comfort his soul, which I trust Mr. Wilblood's spiritual counsel and comfort, with hearty prayer, was a mean to it; God, I trust, working with his admonitions in the sick body to the reviving of his soul. He hath his memory perfect, and well and glad of godly correction. God grant him and myself also His continual sweet comfort and feeling mercy to the end! Amen.

For your going you spoke of to London, and will have the two beds hence for your servants, let me know in time. I would you had here tarried till that remove; you should have spared much waste expense, which you need not, and have been better provided. Surely, if you keep all your Redbourn household at London, you will undo yourself. Money is very hard to come by, and sure friends more hard; and you shall be still in other folk's danger, and not

App. II. 7. your own man, and your debts will pinch you, though you may hope; but your continual sickliness withal is a great hindrance; and if you make show of a housekeeping in the city, you shall quickly be overcharged, much disquieted, and brought not over the ears but over shoulders. Therefore at the beginning be very wary and wise, as it is said. "Learn to be wise for yourself," one said. . . . . Consult the Lord, and do nothing rashly. I could not choose but advise as heretofore. God guide you to safe age's rest, and best course.

II. 8. LADY BACON TO ANTHONY BACON.

(Orig. Lambeth MSS. 651, fol. 66.)

March 30, 1595.

I mean, if God will, to come hither again before Easter; but you are going farther hence than my ableness will endure to travel, either by water or by land, and know not when I shall see you any more. I pray God to go before you, and to be with you ever, to heal you, to help you, and to counsel and comfort you continually with His fatherly love in Christ Jesus our Lord. Amen.

I wrote yesterday to my Lady Walsingham and by her to the Countess [of Essex]. She took it well, and thanked me. The Countess is very near her travailing time. I beseech God of His goodness make her a joyful mother, with daily increase of God's blessing upon her and hers. Beware in anywise of the Lord H. [Howard]! He is a dangerous intelligencing man; no doubt a subtle Papist inwardly, and lieth in wait. Peradventure he hath some close working with STANDEN and the SPANIARD

[Perez]. Be not too open; he will betray you to divers, and to your AUNT RUSSELL among others. The Duke had been alive but by his practising and still soliciting him, to the double undoing. And the EARL of ARUNDEL, avoid his familiarity as you love the truth and yourself. A very instrument of the Spanish Papists. I pray you no creature know or see this I write; but burn it with your own hands. And remember; for he, pretending courtesy, works mischief devilishly. I have long known him and observed him; his workings have been stark naught. Stand at a distance! I am sorry I cannot speak with Dr. Fletcher for your horse. I would certainly know. It is not like you will brew hastily. Send me word what time you guess, because of mine absence if God let me live. But vessels and carriage must surely be provided; for indeed I have none for malt. If you tell Crosby your mind, I will pay for it when I have received rents. Gryst is very dear methinks, but he denieth. If you had taken your physics here in your well-warned house, it had been better I think. God be your guide in all your ways, and take heed of cold-taking upon remove and after physic. Call for your own necessaries; you may forget you, and you smart for it. Use your legs as you may, daily; they will else be the feebler, and the sinews stark and strengthless. It is true, I fear, there is no ordinary preaching ministry at Chelsea. I cannot tell how to lament it; but both my sons, methinks, do not care for it where they dwell. Greater want cannot be. We had needs watch continually to be well armed against evil days, imminent to be feared; for of all sorts we wax worse and worse. London waxeth straitlaced, urging that slavish pleasing will not salve his hard-cured sore. Burn this. The God of mercy, health, and peace compass you about

APP. II. 8.

App. II. 8. with His heavenly favour wheresoever. Farewell in Christ now and ever.

Your mother,

A. B.

My grief is great about Essex, and truly I fear lest opportunity should have given rise to most shameful and grievous adultery and the midst of evils and ——(Here follow five words much blotted and very indistinct.)

II. 9. LADY BACON TO ANTHONY BACON.

(Orig. Lambeth MSS. 657, fol. 54.)

Gorhambury, April 1, 1595.

I send between your brother and you the first flight of my dove-house: the Lord be thanked for all: ij dozen and iiij pigeons, xij to you, and xvj to your brother, because he was wont to love them better than you from a boy. Marvellous hard, snowy, haily, and strong windy weather here, and great scarcity. I have had more toil in my body few days since I came last hither than in above twice as long at London. I wish myself there again, and peradventure, if God will, I will before Easter as now minded. I am glad your beer was sent so soon. To-day, upon occasion of a maid sending to Redborn, but none of my servants, I hear Mistress Read and Henry are malcontent for certain implements; specially, as they say, in the best reserved chamber for your friends, noble or not noble, a carpet, and other things filled with birds, hunting or hawks or dogs. Mr. Lawson was the nobleman lodged there, I ween; and like enough, for he is subtle, vainglorious, and makes you bleared still to ensure all, and pay for all; and further, as was reported, that Norris was discontented for your requiring to Mr. Read, he not made privy before. Thus they

talk, and something else, now you are gone; and one that tames the bit is become a tippler and will be overseen with drink, but an ill servant in your house, the fruit of idleness. App. II. 9.

Large was here this day. I told him it was honesty and Christian duty to dwell at home with his wife. I would, I said, be loth that my son should bear the blame of his being an ill husband, and leave his first calling to labour, for to leave over to be a good thriving fellow. I used him so still, though other civil service, washing among. It is commonly spoken that Fynch of Woodend and Guaram are joint companions in all ill fellowship. Use them thereafter, and take no luck by such. You and your brother have taken much discredit by not judging wisely and rightly of those; yea, both of you, over-credit to your willing hinderance. I pray the Lord give you both good understanding by His word and spirit, and health to serve Him in truth, to your good estimation, with increase of His blessed favour. Let not your men be privy hereof. As your good mother, I thus certify. Think of it.

Your mother,

A. B.

Use your legs betimes, for fear of losing by disuse.

Good Rolf was here to-day to speak with me, and very sadly said thus to me, that he had before now, and presently again did hear that his farm should be let from him; whereupon his ancient wife and he both were much grieved. I told him I never heard any tittle of it, and thought it was nothing; so it will be worse, I wis, for you to make a change for Humphrey. He hopes you will at least let him tarry iij years longer after his present state. Finished scamblers are easily had everywhere, but discreet, honest,

App. II. 9. sufficient farmers would be continued; they serve the country and countenance their landlord indeed. Guaram will prove stark naught if you suffer him to let the ground from Pleatah farm; you are marvellously abused by him and misled; some in my house are too often with him. I will look better to them for it. Yet by them I hear of these his naughty doings, both for himself and you. God be with you, and make you able to every good duty, and guide you all ways to your comfort. God knows when I shall see you. I am therefore more careful to advertise you to beware. Remember Groome I pray you. Brocket will make jest of us both. Keep not superfluous servants to mar them with idleness and undo you. Let Large live at home; best for him, a married man. Nobody see this, but burn it, or send it back; and so commend you to the Lord.

II. 10. LADY BACON TO ANTHONY BACON.

(Orig. Lambeth MSS. 651, fol. 65.)

SON, April 1, 1595.

Woodward told me you required a hogshead of beer. I will, if it please God I come well and in time home to-morrow, I will send you one by the cart of my best ordinary beer; the rest remaining is March. I pray you let me have another hogshead for it. I shall lack else; and let one be ready with a car, because of double jumbling. I think, well used, you may drink it after five days' settling at least; but that, as you see, being above iiij months old, after it is broached it will not last above a fortnight because of turning.

This bearer I have newly taken into my house.

A. B.

LADY BACON TO ANTHONY BACON.

APP. II. 11.

(Orig. Lambeth MSS. 657, fol. 64.)

Gorhambury, April 3, 1595.

I thank you for your horses. I send you a hogshead of November beer, methinks good, and a barrel also of the same brewing which I did cause the brewer then to tun of the first tap of the same brewing, and so strong, because at that time it was thought you would come to Redburn, and I meant it to you: it is so strong as I would not drink ordinarily to my meals, but do you use it to your most good; in any wise when these two vessels be empty let them be returned by the cart. I cannot want [do without] them indeed, and they be strong, besides divers other vessels of mine sent to your sundry places. I did at one time send six together, if not seven, to Redburn, and I paid vii *s.* for heading and hooping and seasoning of them; howsoever they make you pay afterward. I did so in truth. I pray remember Groom's ill handling, and curb it well for all his naughty and tippling mates. I wrong my men, living well and Christianly in their honest vocation, to suffer them to be ill entreated and myself contemned; I mean not so. Crosby purposeth to be with you on Monday if God will, and your corn ready.

Your mother,

A. B.

Yesterday, seeing my sister Russell at the Blackfriars house, after the sermon, I found her very much grieved, and her words charging my Lord Treasurer of very unkind dealing in a matter very chargeable to [her], and a slight end procured, she said to her hurt, with tears on account of him. I saw her so lamenting, I said I would write to Sir

APP. II. 11. Robert Cecil. "No, no," said she, "it is too late; he hath marred all, and that against my counsel's liking at all." But [do] not you nor your brother intermeddle in it nor be a knowing of it. I pray you show your brother this, and let him not take knowledge lest you both set on work; and for that HOWARD, once again be very ware as of a subtle serpent. Burn all, for fear of the servants. Be not hasty to remove. Your drink well used, and not set abroach all at once, above the bung first, then by degrees lower once or twice, will be better and last long, saith the brewer. York House lease is not here, as I said to my cousin Kemp. Mr. Bayley hath seen every place purposely to satisfy my Lord Keeper. I do not remember that ever I saw any lease from the Bishop sealed, but by parley and trust betwixt both. Farewell. The brewer, who is now here, saith that your beer now sent, well handled, will drink well a month's space. Let not your servants beguile you secretly or openly. Use your legs in any wise and daily, lest they fail you when you would; neglect not in time, and serve the Lord with all your heart.

II. 12. LADY BACON TO ANTHONY BACON.

(Orig. Lambeth MSS. 651, fol. 102.)

May, 1595.

Grace, and the love of the Lord in Christ.—Your beer, well handled I trust, is meant to be sent to-morrow early. The brewer hath been careful himself. I had no brewing, I dare say these twelve months, more diligently attended upon of my servants; if the carriers do their part, and all were well watched and looked to in the cellar, it is thought for your own special use it will last till nigh Michaeltide, both for quantity and quality. As

you appointed it is brewed, 8 hogsheads in all, and of the chiefest beer 2 hogsheads, marked with an S on each side of the wheel mark; the third, somewhat less strong, being a second, is marked, likewise with chalk, with a smaller wheel mark, and one only S, by it to know it rightly. All the other five alike. God give you the right use of all His gifts to God's glory and your own farther advancement and true comfort. APP. II. 12.

The rowelled horse I had no mind to indeed, nor the horse Master Spencer rode on. Lawson thrust in here his and others smuttled and spoiled beast. The horse is full of windgalls, a token of very spoiling in riding and dressing. Grass is here yet but poor and scant, and I must turn out shortly my two service geldings of necessity. I will not change my own faulty husband's horse for yours, both heavy and stumbling, and never broken for such a toward horse when you first had him. Diverse of my folk now sickly. God increase your health I pray God, and be merciful to us both.

I thank you for your comely mastiff; it is supposed he will hunt after sheep; he is too old; I durst not prove him yet.

Your mother,

A. BACON.

LADY BACON TO ANTHONY BACON. II. 13.

(Orig. Lambeth MSS. 657, fol. 144.)

SON, 3 June, 1595.

You had a mind to have the long carpet and the ancient learned philosopher's picture from hence: but, indeed, I had no mind thereto, yet have I sent them, very carefully bestowed and laid in a hamper for safety in carriage.

App. II. 13. For the carpet, being without gold, you shall not I think have the like at this time in London, for the right, and not painted, colours; which is too common in this age in more things than carpets, and such it is for all not of late bought worth you to buy. Such implements as your father left I have very diligent locked in and kept. You have now bared this house of all the best; a wife would have well regarded such things, but now they shall serve for use of gaming or tippling upon the table of every common person, your own men as well as others, and so be spoiled as at Redburn. I would think that John, your tailor, should be fittest to look well to your furniture. God, I humbly beseech Him, increase in you daily spiritual store, and also the comfort of bodily health and other comforts of this life to His own good pleasure, to whose fatherly love in Christ I commend you.

I wish the hamper were not opened till yourself were at Chelsea, to see it done before you; for the pictures are put orderly within the carpet. You have one long carpet already. I cannot think what use this should be. It will be an occasion of mockery that you should have a great chamber, called and carpeted. What I say is not foolish. Draw no charge till God better enable you; but observe narrowly both for your health and purse. Surely your vi^{s} beer is no ordinary drink for your house no time of the year specially, and usually too strong for you; but Podagra will bestir him. Seeing God hath given you some good abilities, I would, I trow, watch over my diet and everything to put them in use by health to God's glory and your own more credit.

If her Majesty have resolved upon the negative for your brother, as I hear, truly, save for the brust a little, I am glad of it. God, in His time, hath better in store I

trust. For, considering his kind of health and what cumber pertains to that office, it is best for him, I hope. Let us all pray the Lord we make us to profit by His fatherly correction; doubtless it [is] His hand, and all for the best, and love to His children that will seek Him first, and depend upon His goodness. Godly and wisely love ye like brethren, whatsoever [happen], and be of good courage in the Lord with good hope. APP. II. 13.

Farewell! take diligent heed of your health; be master of yourself and act most prudently.

Your mother,

A. BACON, Widow.

Do not readily relinquish or grant your town house to any one.

LADY BACON TO ANTHONY BACON. II. 14.

(Orig. Lambeth MSS. 657, fol. 203.)

Gorhambury, July 30, 1595.

I most humbly thank God and much rejoiced when I heard by Crosby you do more exercise your body and your legs, and that in your course you go to the Earl yourself at occasions; surely soon, by the grace of God, you shall find great help by bodily exercise in season, and much refreshing both to body and mind, and be more accepted of. I would advise you went sometimes to the French church, and have there, and bash not your necessaries for warmth to hear the public preaching of the word of God, as it is His own ordinance, and, armed so with prayer for understanding, it maketh the good hearers wise to God, and enables them to discern how to walk in their worldly vocation, to please God, and to be accepted of man, indeed, which God grant to you both.

APP. II. 14.

Truly, son, the miller's last coming to you was but of a craft to colour his halting touching his secret consenting to steal, as cause hath been given to suspect him, not lately alone, but long: he waxeth a subtle fellow, and hath a cunning head of his own, now he goeth with meal to London and to some other places hereabout, and will mar the mill, I doubt, by his flitting. Wherefore should he have a net? himself confessed about the scouring of the mill, but lately, that there was store of trout, and now almost none, because Bun and others did lately rob, as you know. I took the miller's part in defending his right dealing, and so the justices have bound Bun to good a-bearing till next sessions; but that same Bun said earnestly that the miller could join and bear with some, and he could abide by it, and so hath Mr. Coltman said when I have blamed him but for angling. Certainly, son, where he bringeth you, though I would they were more for you, he carrieth to Mr. Preston and others twice as many, but say yet not so to him. I mean to take his net from him, he is waxen so heady, new-fangled, that the mill goeth to wreck, and customers begin to mislike and to forsake it, which will hinder our living and discontinue it. I will cause Humphrey to be paid as you order with Crosby; surely set aside my poor mortmain, but 200*l.*, or little above, a small portion for my continuance. I thank the Lord for all: spending money goeth but from hand to mouth, as they say, with me. I gave your brother at twice 25*l.* for his paling, the rather to cheer him since he had nothing of me. Crosby told me he looked very ill; he thought he taketh still inward grief; I fear it may hinder his health hereafter. Counsel to be godly wise first, and wise for himself too, and both of you look to your expenses in time, and oversee those you trust how trustily, for I tell you

plainly it hath been long commonly observed that both your servants are full of money. APP. II. 14.

My Lord Chief Baron's marriage with your sister I never [had] any inkling of before Crosby told. I pray at your leisure write to me some circumstance of the manner, and God bless it. I send Winter purposely, because you should not send your boy. Gorhambury, penultima of July.

Your mother,

A. B.

Nobody but yourself see my letters, I pray you.

After harvest some venison would do well here. God bless you daily with good increase.

LADY BACON TO ANTHONY BACON. II. 15.

(Orig. Lambeth MSS. 651, fol. 211.)

7 of Aug. 1595.

For your bottles I thank you. The malmsey I tasted a little; very good. Humphrey shall, God willing, be answered; but with a sight of his reckoning he asketh for 20 neats' tongues at once, not very seldom neither; for Mr. Barber Crosby will go within these 3 days to keep your credit with him, and such is a very Christian duty. Owe nothing to any, saith the Lord in His word, but to love one another. I would I were able to help you both out of debt; but set apart my poor mortmain, which I certainly have vowed for any acknowledgments to God, I am not worth one 100*l*. Yea and specially you have spent me quick; nothing can therefore remain after I am dead. God bless you! I had not sent now but for this cause, by your message by Wynter. The two countess sisters will neighbour you; both ladies that fear God and

APP. II. 15.

love His word; indeed zealously, specially the younger sister. Yet upon advice and some experience I would earnestly counsel you to be wary and circumspect, and not to be too open nor willing to prolong speech with the Countess of Warwick. She, after her father's fashion, will search and sound and lay up with diligence, marking things which seem not courtly, and she is near the Queen, and follows her father's example too much in that. This is the cause of my now writing. Another matter is, that now the marriage of your sister is well, by God's appointment, I trust [you] use not such broad language upon mislike of unkindness. Your men and others, how peradventure you mark not, may hurt you very much. Surely if such phrases as you wrote in your letter or such deriding should come to his ear, it would be very hurtful to you more than one way, which you need not, being never abroad amongst them. Your sister's nature is but unkind, and at that time of her marriage could not herself think of such things. I pray hearken to him with all courtesy; he is of marvellous good estimation for his religious mind in following his law-calling uprightly; beware, therefore, in words and deeds and speeches at table before him. There is scarce any fidelity in servants. I write more hereof, because others write your letters and not yourself.

I am sorry your brother with inward secret grief hindereth his health. Everybody saith he looketh thin and pale. Let him look to God, and confer with Him in godly exercise of hearing and reading, and continue to be noted to take care: I had rather ye both, with God's blessed favour, had very good healths and were well out of debt, than any office. Yet, though the Earl showed great affection, he marred all with violent courses. I pray God increase His fear in his heart and a hatred of sin; indeed,

halting before the Lord and backsliding are very pernicious. I am heartily sorry to hear how he [the Earl of Essex] sweareth and gameth unreasonably. God cannot like it. I pray show your brother this letter, but to no creature else. Remember me and yourself. APP. II. 15.

Your mother,

A. B.

Gorhambury, 5th August, '95.

With a humble heart before God, let your brother be of good cheer. Alas! what excess of bucks at Gray's Inn, and to feast it on the Sabbath. God forgive and have mercy upon England!

LADY BACON TO ANTHONY BACON. II. 16.

(Orig. Lambeth MSS. 652, fol. 86.)

Gorhambury, Oct. 21, 1595.

Since it so pleaseth God, comfort your brother kindly and Christianly, and let me, mother, and you, both my sons, look up to the correcting hand of God in your wants every way, with humble hearts before Him, and with comfort; and procure your health by good means carefully. If I did not warily sustain and abstain, I should live in continual pain pitifully. For set sickness, to speak of, I have not now; I thank God, but very cumbersome troublous accidents to keep me to exercise mortification. Remember, her Majesty is, they say, now at Richmond. God preserve her from all evil, and rule her heart to the zealous setting forth of His glory! Want of this zeal in all degrees is the very ground of our honest trouble. We have all dallied with the Lord, who will not ever suffer Himself to be mocked. I send you xij pigeons, my last flight, and one

App. II. 16. ringdove beside, and a black coney taken by John Knight this day, and pigeons, too, to-day. Lawrence can tell you my Lady Stafford's speech was of you, as she hath heard from her Majesty, marvelling you came not to see her in so long space. Consider well and wisely; for I sent him to her to know of her Majesty's good estate to Nonsuch, according to my duty, and to Mr. Doctor Smith. He came not home by London, as I bade him: do what you may for health, piously and diligently, out of question. Where you be you must needs disorder your time of diet and quiet; want of which will still keep you in lame and uncomfortable. I hear the Lord Howard is too often with you. He is subtilly deceitful. Beware! beware! Burn this. The Lord of heaven bless you from heaven, in Christ our Lord and hope.

Your mother,

A. Bacon.

Burn, I pray, but read well first.

II. 17. Lady Bacon to Anthony Bacon.

(Orig. Lambeth MSS. 657, fol. 113.)

Gorhambury, June 15, 1596.

By the good hand of the Lord I am come well to Gorhambury, where I find my household well and in good order. I thank God my sister my Lady Russell's coach is far easier than either of yours, and her man, a comely man withal, did it with care and very well; and your brother's footman did very diligently go by me. Here be no strawberries nor fish to send; and for beer, son, I have none ordinary under five weeks, at least above a month, brewed the first week of May, which now carried, after so long settling and in the heat of summer, must needs be spoiled,

which were great pity this dearth time. Truly, son, as yet I know not when to brew, by my provision not this ij weeks at least, as well as for vessels. I have tierce of last March beer; but surely, being yet unripe and carried this heat, it will be utterly marred. Paying Mr. Moore's bill for my physic, I asked him whether you did owe anything for physic? He said he had not reckoned with you since Michaelmas last. Alas! why so long, say I? I think I said further it can be muted, for he hath his confections from strangers; and to tell you truly, I bade him secretly send his bill, which he seemed loth but at my pressing, when I saw it came to above xv *l.* or xvj *l.* If it had been but vij or viij, I would have made some shift to pay. I told him I would say nothing to you because he was so unwilling. It may be he would take half willingly, because "ready money made always a cunning apothecary," said covetous Morgan, as his proverb. For Lange, I cannot tell what you would have me do for him: he finds I do not recompense evil with evil. I have at times given him, he knoweth; but he is but whining, and a companion too much with naughty Goodram, though not at Redborn, but to his hurt. Let him ply his labour, in God's name, and not a busybody and secret quarrel-picker, as he is partly suspected. I use charity to him, though I like not his crafty soothing nature. With thanks for your horse J. C. . . . th heed all your infirmities to your comfort. Be zealous over your health. Hours sink away unseasonably. Farewell.

Your mother,

A. BACON.

APP. III.

No. III.

LADY ANNE BACON, JUN., TO HER BROTHERS FRANCIS AND ANTHONY BACON.

(Orig. Lambeth MSS. 648, fol. 10.)

GOOD BROTHERS, Guilford, 16th March, 1592.

Being very desirous to see you both at Redgrave, and yet loth to put you to that pain which might by my desire impair your healths by entreating your repair into this country, yet can I not refrain, upon this occasion offered of the marriage of my daughter, heartily to pray you both to bestow your travels to Redgrave to the same, where, if it shall please God so to dispose of your business and healths as I may see you, I shall think myself greatly beholden to you, and the feast greatly honoured by your presence. I hope also it will be comfortable to you, both in rejoicing with my husband and me in the action itself, and also in the intercourse and meeting of many good friends which you there shall see and meet with, especially your brother Anthony, having been so long absent from us all, and by that means have not seen sundry of those good friends of yours which I hope you shall there see. The day is appointed to be on the Thursday, the 6th of April; and even so, with my very hearty commendations to you both, and wishing you all good as to myself, I cease to trouble you.

Your very loving sister,

ANNE BACON.

No. IV.

App. IV. 1.

Francis Bacon to Thomas Phillips.

(Orig. in State Paper Office.)

Sir,

I congratulate your return, hearing that all is passed on your word. Your Mercury is returned, whose return alarmed us upon some great matter which I fear he will not satisfy. News of his coming came before his own letter, and to other than to his proper street, which maketh me desirous to satisfy or to solve. My Lord hath required him to repair to me, which, upon his Lordship's and my own letter received, I doubt not but he will with all speed perform, when I pray you to meet him if you may, that, laying our heads together, we may maintain his credit, satisfy my Lord's expectations, and procure some good fruit. I pray thee rather spare not your travail, because I think the Queen is already party to the advertisement of his coming over, and, in some, suspect, which you may not disclose to him. So I wish you as myself, this 15th of September, 1592.

Your ever assured,

Fr. Bacon.

Francis Bacon to Thomas Phillips. IV. 2.

(Orig. in State Paper Office.)

Mr. Phillips, [1593.]

I send you the copy of my letter to the Earl touching the matter between us proposed. You may perceive what expectation and conceit I thought good to imprint into my Lord, both of yourself and of this particular service. And

APP. IV. 2. as that which is in general touching yourself I know you are very able to make good, so in this beginning of intelligence I pray spare no care to conduct the matter to sort to good effect. The more plainly and frankly you shall deal with my Lord, not only in disclosing particulars, but in giving him caveats and admonishing him of any error which in this action he may commit (such is his Lordship's nature), the better he will take it. I send you also his letter, which appointeth this afternoon for your repair to him, which I pray, if you can, perform; although, if you are not fully resolved of any circumstance, you may take a second day for the rest, and show his Lordship the party's letter. If your business suffer you not to attend their Lordships to-day, then excuse it by two or three words in writing to his Lordship, and offer another time.

In haste, your ever assured,

FR. BACON.

Whereas I mention in my letter an intelligence standing in Spain of my brothers, I pray take no knowledge at all thereof.

IV. 3. FRANCIS BACON TO THOMAS PHILLIPS.

(Orig. State Paper Office.)

MR. PHILLIPS, [1593.]

I have excused myself of this progress, if that be to excuse to take liberty where it is not given. Being now at Twickenham, I am desirous of your company. You may stay as long and as little while as you will; the longer the better welcome. *Otia colligunt mentem?* And, indeed, I would be the wiser by you in many things, for that I call to confer with a man of your fulness. In sadness come, as

you are an honest man. So I wish you all good. From Twickenham Park this 14th of August. APP. IV. 3.

Yours, ever assured,

FR. BACON.

FRANCIS BACON TO HIS AUNT COOKE. IV. 4.

(Orig. at Lambeth Palace, 649, p. 237.)

AUNT, Windsor Castle, 29 Oct. 1593.

I had spoken a good while since with my Lord-Treasurer, whose Lordship took pains to peruse the will which I had with me, and in conversation was of opinion that, if the younger children wanted reasonable allowance, it should be supplied, and the other parties to be stored for their advancement: of the same mind I ever was and am, and there is nothing in my cousin Morise's note against. Accordingly I have enclosed a note, of a proportion which I think you cannot dislike, and which I pray communicate with my cousin Morise and the rest of the executors. For my part, I wish you as a kind alliance. But the question is not between you and me, but between your profit and my trust. I purpose as soon as I can conveniently to put the money I have into some other hands, lest you think the case of the money prevaileth with me; but I will endure in a good cause, and wish I you right well.

In haste, your loving nephew,

FRA. BACON.

FRANCIS BACON TO SIR THOMAS CONINGSBY. IV. 5.

(Orig. at Lambeth Palace, vol. 649, p. 236.)

MY VERY GOOD COUSIN, [Oct. 1593.]

Whereas this gentleman, Mr. Nicholas Trot, one to whom, besides familiar acquaintance, I am much beholden,

App. IV. 5. hath conveyed unto him for his money a lease of the prebend of Withington, under the title of Mr. Heyghton, that was sometimes of the counsel of the Marches, a man not like to have been overreached in his bargains, against the which one Wallwyne claimeth by a former deed of gift, supposed to be forged and appearing to be fraudulent, because the same party undertook afterwards to sell it, and his interest hath been quietly missed by twenty years' space, I am earnestly to recommend the assistance of this my friend, according to the equity of the cause, to your good favour, whereof there will be the more need, both because he is a stranger in the country, and because the adverse party, as I understand, hath used force about the possession; and therefore, good cousin, let him use your experience and careful countenance for direction and help, according to that good affection which I persuade myself you bear me, and which I am ready to answer in all kindness. And so I wish you as

Your assured loving cousin,

Fr. Bacon, &c.

IV. 6. Francis Bacon to Sir Francis Allen.

(Orig. at Lambeth Palace, 649, 309.)

Sir, Edborne, this 25th of December, 1593.

I accept with all kindness and thanks possible the demonstrations you make from time to time of a sincere affection and singular respect towards me, namely, in your last letter to myself, and approve wholly yours to my brother, even to the least and last tittle thereof, wishing as a brother, for his own sake, that he had had but half as good a ground and reason for his demand as you have for

your answer. Protesting unto you with a sincerity very present to the merit of your own touching me without prejudice, that the scanty link of German consanguinity should never have prevailed so far with me as to have once moved me to have given my clear consent to my brother for such his request or recommendation. Touching your particular business, I will not fail, by God's grace, in my next to our most honourable Earl, to perform my uttermost, and will not forget to acknowledge to our good friend Mr. Standen, that whatsoever friendly office he shall have rendered by his assistance to do to you, that same is done to myself. And so, with most hearty wishes of your health and contentment, I commit you to the protection of the Almighty, remaining always inviolably

App. IV. 6.

Your most entire friend and servant,

F. B.

FRANCIS BACON TO SIR FRANCIS ALLEN. IV. 7.

(Orig. at Lambeth Palace; 649, 310.)

SIR FRANCIS ALLEN, Hampton Court, Dec. 20, 1593.

I do so much favour this gentleman, Mr. Garret, who from my praise entered a course of following the wars, which hath succeeded unto him as to his good commendations, so yet nevertheless not hitherto to his settling in any place answerable to his desert and profession. In regard whereof, understanding of the nomination and appearance of employment in Ireland, he conceiveth it will be some establishment to him if he may receive your favour, being by you accepted in the place of your lieutenant, your own virtue and reputation answered, and the uncertainty of the French employment. Of his proof and

App. IV. 7. sufficiency to serve I write the less because I take it to be well known to yourself, but for my particular I do assure you I can hardly imagine a matter wherein you shall more effectually tie me unto you than in this. I wished him to use me but as a mean of my brother's commendation, which I esteemed to be of extraordinary weight with you. But because this was the readier and that the entireness between my brother and myself is well known to you, he desired to begin with this. Thus I wish you all protection.

Yours in unfeigned good affection,

FR. BACON.

I was sorry to hear from Mr. Anthony Standen so sharply and unseasonably you were afflicted by the gout. But you have of him a careful solicitor, and if I can come in to him with any good endeavour of mine you may reckon of it.

IV. 8. FRANCIS BACON TO THE MASTERS OF REQUESTS.

(Orig. in the Record Office.)

[? 1593.]

After my hearty commendations. At the request of this bearer, Mr. Edward Cottwin, an ancient follower and well-willer to my name and family, I have considered of a suit of his depending before you for the recovery of certain rents due unto him for divers years past, and detained from him only upon a strained construction of extreme law. And finding the honesty of the man and the equity of his cause to deserve favour, considering that the main matter (which is the sum in demand) is freely acknowledged, I could do no less than recommend him unto your good discretions, desiring you in regard of his great loss and troubles to afford him, that which you

deny to no man, lawful favour and expedition, which I shall be always ready thankfully to acknowledge by such friendly offices as shall fall within my compass. And so I leave you to God's safe tuition. App. IV. 8.

Resting your very loving friend,

Fr. Bacon.

Francis Bacon to Mr. Skinner. IV. 9.

(Orig. at Lambeth Palace, 650, 143.)

Sir, July 29, 1594.

I hope you will not find it strange nor amiss if the confidence I have in your kind affection makes me so bold as most earnestly to request you to pleasure me with the loan of five hundred pounds for a year. My occasion to employ the same presently is important. My meaning (though I say it myself) is entirely, as it ought to be, to satisfy you without fail at the day, and your assurance shall be my brother A. Bacon's and my own bond.

The occasion, my good cousin, and my meaning being by you believed, as I assure myself they shall and most heartily pray they may you, I cannot doubt of the friendly assistance of my request as a form of assurance, but look for such a special favour at your hands, which I shall be always ready and glad to acknowledge when and wherein-soever it shall please you to employ my true good will and sincere affection. And so, desiring your answer, which I hope shall be no less to my contentment than my resolution of full acknowledgment to yours, I commit you to the protection of the Almighty,

And rest your entire loving cousin to use,

F. B.

APP. IV. 10.

FRANCIS BACON TO MR. YOUNG.

(Orig. at Lambeth Palace, 650, 186.)

MR. YOUNG, Gray's Inn, Sept. 2, 1594.

I shall desire your friendly pains in the repairing and punishing of an outrage offered by one Thomas Lewys, dwelling near Whitechapel, upon a French gentleman of very good quality and honourable, and my special acquaintance, and upon his company, not in terms alone, but in very furious assailing them. My request to you is the rather for the good report of our nation, whither this gentleman is come only for his own satisfaction and experience, that he may have experience of the good policy amongst us in correcting such insolences, specially upon strangers of his respect. And therefore desire you so great an abuse may be examined and corrected. And so in haste I wish you very well.

Your very loving friend,

FR. BACON.

The French gentleman's name is Mr. Corugues, son to the principal treasurer of Guienne, and this bearer shall relate to you the particularities of the abuse.

IV. 11.

FRANCIS BACON TO ANTHONY BACON.

(Orig. at Lambeth Palace, 650, 227.)

BROTHER, Gray's Inn, Dec. 10, 1594.

I moved you to join with me in security for 500*l.*, which I did purpose then decidedly to have taken up; 300*l.* odd secure, and 200*l.* by way of forbearance, both to the satisfaction of Peter Van, our servant. I thank you, you assented. I have now agreed with Peter for the taking

up of the whole of one man's, according to which I send you the bonds and securities. You shall find the bond to be of 600*l.*, which is one hundred more than it was at first. The jewel cost 500*l.* and odd, as shall appear to you by my bond. Next I send you immediately for use an agreement, so to free you of one hundred, for which you stand bound to Mr. Willis Fleetwood. So in haste I commend you to God's good preservation. APP. IV. 11.

Your entire loving brother,

FR. BACON.

FRANCIS BACON TO ANTHONY BACON. IV. 12.

(Orig. at Lambeth Palace, 650, 237.)

GOOD BROTHER, [Dec. 1594.]

If you leave the matter to me, I am like both to deal with my Lord of Essex in it, attending the first occasion, and to fortify it otherwise, as I will hereafter give you account. And where I doubt, acquaint you in particular beforehand. For Mr. Sugden, I had rather have brought payment than allegation. I ever doubted the resting upon [him] would come to nothing, and I desire you to do as you wish; and yet I will endeavour to speed my part nevertheless, and the whole if I can.

Mr. Trott I have desired to be here after to-morrow to see her. He taketh this his second chance. I desired Dr. Hammond to visit you from me, whom I was glad to have here, he being a physician, and my complaint being want of digestion.

I hope by this Sir Ant. Perez has seen the Queen dance. That is not it, but her distraction of body to be fresh and good, I do pray God both subjects and strangers may long

App. IV. 12. be witnesses of. I would be sorry the bride and bridegroom should be as the weather hath fallen out: thus, it goes to bed fair, and rises lowering. Thus I commend you to God's best preservation.

Your entire loving brother,

FR. BACON.

IV. 13. FRANCIS BACON TO THE EARL OF SALISBURY.

(Orig. in State Paper Office.)

IT MAY PLEASE YOUR LORDSHIP, [1607.]

I send the two bills according to your Lordship's pleasure signified to me, hoping your Lordship will pardon me that they come not precisely at the hour. The book is long and full of difficulty; and a business such as this is, I do not much trust to servants or precedents. I found it more convenient to put one payment more upon the Privy Seal than your Lordship directed, and to take it from the rent; because else, the grant must have been for ten years and a half, which is not formal. So I most humbly leave,

And rest your Lordship's most humble and bounden,

F. BACON.

IV. 14. FRANCIS BACON TO THE EARL OF SALISBURY.

(Orig. in the State Paper Office.)

IT MAY PLEASE YOUR LORDSHIP, 28th October, 1608.

According to your Lordship's warrant of the 15th of June last I made a book ready for his Majesty's signature to the use of Mrs. Ellis of the benefit of an extent of the lands and goods of Richard Yonge her father, extended for a debt of 3000*l.* upon recognizances; which book is

since past the Great Seal. And now having received order from your Lordship for amendment of the defects in that patent, I find the case to be thus,—That she has since discovered two other debts of record, the one of 8511*l.* 19*s.* 4*d.*, the other of 2100*l.*, remaining upon account in the Pipe Office. And though it be true that she shall reap no benefit by the former grant, except these debts be likewise released, on regard the King may come upon the said lands and goods for these debts,—and it may be the meaning was in Queen Elizabeth to free and acquit Mr. Yonge of all debts; for else *Quid te exempta juvat spinis de pluribus una?* —yet do I not see how I may pass the book again, with a release of these two debts, without your Lordship's further warrant, which I humbly submit to your honourable consideration. App. IV. 14.

Your Lordship's most humble and bounden,

Fr. Bacon.

Francis Bacon to the Earl of Salisbury. IV. 15.

(Orig. in the State Paper Office.)

Gray's Inn, the 6th of July, 1609.

It may please your Lordship,

The assurance which by your Lordship's directions was to be passed to his Majesty by Richard Forebenche, one of the yeomen of the guard of Potter's Park, within the parish of Chertsey, in the county of Surrey, is thoroughly perfected; so if your Lordship so please he may receive the money your Lordship agreed to pay for it.

Your Lordship's most humble and bounden,

Fs. Bacon.

App. IV. 16.

FRANCIS BACON TO THE EARL OF SALISBURY.

(Orig. in the State Paper Office.)

IT MAY PLEASE YOUR GOOD LORDSHIP,

Though Mr. Chancellor and we rested upon the old proclamation which Mr. Attorney brought forth, for matter of transportation of gold and silver, yet because I could not tell whither it were that your Lordship looked for from us, and because if you should be of other opinion things might be in readiness, I send your Lordship a draught of a new proclamation, wherein I have likewise touched the point of change in that manner as was most agreeable to that I conceived of your intent; the Frenchman, after I had given him a day, which was the morrow after your Lordship's departure, never attended nor called upon the matter since. Sir Henry Nevill has sent up a solicitor of the cause, to whom I perceive by Mr. Calvert your Lordship is pleased a copy of his answer when it shall be taken may be delivered. So, praying for your good health and happiness, I humbly take my leave from Gray's Inn, this 10th of August, 1609.

Your Lordship's most humble and bounden,

FS. BACON.

IV. 17

FRANCIS BACON TO THE EARL OF SALISBURY.

(Orig. in State Paper Office.)

Gray's Inn, the 13th of Sept. 1609.

IT MAY PLEASE YOUR LORDSHIP,

According to your Lordship's letter, I send an abstract of the bonds and conditions touching the depopulation, whereby it will appear unto your Lordship that all

the articles and branches of the condition consist only of matter of reformation in the country, and not of any benefit to the King, otherwise than that the forfeiture in point of law belongeth to his Majesty; but then the reformation is at large. So I very humbly take my leave. APP. IV. 17.

Your Lordship's most humble and bounden,

FS. BACON.

FRANCIS BACON TO SIR JULIUS CÆSAR. IV. 18.

(Orig. in State Paper Office.)

IT MAY PLEASE YOUR HONOUR, Aug. 23, 1610.

In answer of your letter of the second of this present, but not delivered to my hands till the 20th thereof, concerning Sir Robert Steward his petition exhibited to his Majesty in the name of Edward Williams, for the new founding of the Hospital of St. John's in the town of Bedford, I have examined the state of the cause, as far as information may be expected by hearing the one side; and do find: That this hospital passed divers years since by a Patent of Concealment to Farneham, from whom the petitioner claimeth. That thereupon suit was commenced in the Exchequer, wherein it seemeth the Court found that strength in the King's title, as it did order the hospital should receive a new foundation, together with divers good articles of establishment of the good uses, and an allowance of stipend unto the master. Nevertheless, I find not this order to be absolute or merely judicial; but in the nature of a composition or agreement; and yet that but conditional: for it directeth a course of judicial proceeding, in case the defendants shall not hold themselves to the agreement. And yet notwithstanding this order had this life

App. IV. 18.

and pursuance, as I find a letter from the Lord-Treasurer, his Lordship's father, to the then Attorney, for drawing up a book for the new foundation. After which time nothing was done for aught that to me appeareth: no patent under seal, no stirring of the possession, no later order: neither doth it appear unto me likewise in whose default the falling off was. But now of late, some four years past, and about fourteen years after the former order, upon information given of the King's right to the late Lord-Treasurer, Earl of Dorset, his Lordship directed a sequestration of the possession, and that without any mention of these former proceedings; but that, being as it seemeth swiftly granted, was soon after by his Lordship revoked. The pretenders unto the right of this hospital (with whom likewise the possession hath gone) are as it seemeth the master of the hospital (at this time one Dennis) and the town of Bedford, who claim the patronage of it. But in what state the hospital is for repair, or for employment according unto the good uses, or for government, I can ground no certificate. And therefore it may please you to signify unto his Lordship as well the state of the cause heretofore opened, as my opinion, which is that it were great pity that this hospital should continue either not well founded, or not well employed, the rather being situate in so populous and poor a town; and that, nevertheless, herein some consideration may be had of the patentee's right; but for the present, that which is first meet to be done, I conceive to be that the other party be heard; and to the end to avoid a tedious suit (which must be defended with the moneys that should go to the sustenance of the poor), his Lordship may be graciously pleased to direct his letters as well to the town of Bedford as to the present incumbent, that they do attend a summary hearing of this cause (if his own great

business will not permit), before some other that he shall assign; in which letters it would be expressed that they come provided to make defence and answer to three points: that is, the King's title now in the patentee; the order and agreement in the Exchequer, why it was not performed; and the estate of the hospital, whether it be decayed and misemployed? And so I leave to trouble your Honour from Gray's Inn, 23rd August, 1610. App. IV. 18.

Your Honour's, to do you service,

Fr. Bacon.

Francis Bacon to the Earl of Salisbury. IV. 19.

(Orig. in the State Paper Office.)

London, the 7th of May, 1611.

It may please your good Lordship,

Understanding that his Majesty will be pleased to sell some good portion of wood in the Forest of Dene, which lies very convenient to the company's wireworks at Tynterne and Whitbrooke, we are enforced to have recourse to your Lordship as to our governor of the said company, humbly praying your Lordship to afford us some reasonable quantity thereof, the better to uphold the said works, whereof by information from our farmers there we stand in such need as without your Lordship's favour we shall hardly be able to subsist any long time. We do not entreat your Lordship for any other or more easy price than that your Lordship directs the sale of it to other, only we humbly pray for some preferment in the opportunity of the place where the woods lie and in the quantity, as it may answer in some proportion to our wants. Herein, if your Lordship will be pleased to favour us, then we humbly pray your

APP. IV. 19. Lordship to direct us to some such persons as your Lordship resolves to employ in the business. And so we humbly take our leaves of your Lordship.

Your Lordship's humbly at command,

FR. BACON.

IV. 20. FRANCIS BACON TO THE EARL OF SALISBURY.

(Orig. in State Paper Office.)

IT MAY PLEASE YOUR LORDSHIP, October, 1611.

I return your good Lord's minute, excellently, in my opinion, reformed from the first draught in some points of substance. I send likewise a clause warranting the subject to refuse gold lighter than the remedies expressed, which is no new device, but the same with 29th Eliz. I find also Mr. Dubbleday to make it a thing difficult to name the pieces of more ancient coin than his Majesty's, for which I have likewise sent a clause. This last clause is immediately to follow the table of the coins expressed. The clause of the weight is to come last of all. So, with my prayers, I rest

Your Lordship's most humble and bounden,

FR. BACON.

IV. 21. FRANCIS BACON TO KING JAMES.

(Orig. in the State Paper Office.)

January 31st, 1615.

Though I placed Peacham's treason within the last division, agreeable to divers predecessors, whereof I had the records read, and concluded that your Majesty's safety, and life, and authority was thus by law instanced and

quartered, and that it was in vain to fortify on three of the heads and leave you open on the fourth, it is true he heard me in a grave fashion more than accustomed, and took a pen and took notes of my divisions; and when he read the precedent and records would say, That you mean falleth within your first or your second division. In the end I expressly demanded his opinion as that whereto both he and I was enjoined. But he desired me to leave the precedents with him that he might advise upon them. I told him the rest of my fellows would despatch their part, and I should be behind with mine, which I persuaded myself your Majesty would impute rather to his backwardness than my negligence. He said as soon as I should understand that the rest were ready he would not be long after with his opinion or answer. For St. John's your Majesty knoweth the day draws on, and my Lord Chancellor's recovery the season and his age promiseth not to be hasty. I spoke with him on Sunday, at what time I found him in bed, but his spirits strong and not spent or wearied, and spake wholly of your business, leading me from one matter to another, and wished and seemed to hope that he might attend the day for St. John's, as it were (as he said) to be his last work, to commend his service and express his affection towards your Majesty. I presumed to say to him that I knew your Majesty would be exceeding desirous of his being present that day, so as it might be without prejudice to his continuance; but that otherwise your Majesty esteemed a servant more than a service, specially such a servant. Surely, in my opinion, your Majesty had better put off the day than want his presence, considering the cause of the putting off is so notorious, and then the capital and the criminal may come together the next term. I have not been unprofitable in helping to discover and

App. IV. 21.

App. IV. 21. examine within these few days a late patent by surreption obtained from your Majesty of the greatest forest in England, worth 30,000*l.*, under colour of a defective title, for a matter of 400*l.* The person must be named, because the patent must be questioned. It is a great person, my Lord of Shrewsbury, or rather, as I think, a greater than he, which is my Lady of Shrewsbury. But I humbly beg your Majesty to know this first from my Lord Treasurer; who me thinketh groweth ever studious in your business. God preserve your Majesty.

Your Majesty's most humble and devoted subject and servant,

FR. BACON.

The rather in regard of Mr. Murray's absence, I humbly pray your Majesty to have a little regard to this letter.

IV. 22. FRANCIS BACON TO THE COUNCIL.

(Orig. in State Paper Office.)

IT MAY PLEASE YOUR LORDSHIPS, Jan. 27, 1616 [1617].

According to your Lordships' preference of the 12th of June last, I have considered of the patent of Clement Dawbeny, gent., for the slitting of iron bars into rods. And I have had before me the patentee that now is, and some of the nailers and blacksmiths that complained against the same. Whereupon it pleased your Lordships to call in the said patent. But upon examination of the business I find the complaint to be utterly unjust, and was first stirred up by one Burrell, master carpenter to the East India Company, who hath already of himself begone to set up the like engine in Ireland, and therefore en-

deavoured to overthrow the said patent, the better to vent his own iron to his further benefit and advantage, whereas the nailers and blacksmiths themselves do all affirm that they are now supplied by the patentee with as much good and serviceable iron, or rather better, than heretofore they have been, and that the said patent hath been of much use to the kingdom in general, and likewise very beneficial to themselves in their trades. And, therefore, your Lordships may be pleased to suffer him quietly to enjoy it without any further interruption, and to this did Burrell himself and the opposers willingly condescend, which nevertheless I submit to the wisdom of this most honourable Board. App. IV. 22.

Fr. Bacon.

Francis Bacon to King James. IV. 23.

(Orig. in State Paper Office.)

March, 1617.

The gracing of the Justices of Peace. That your Majesty doth hold the institution of Conservators and Commissioners or Justices of the Peace to be one of the most laudable and politic ordinances of this realm or any other realm. That it is not your own goodness or virtues, nor the labours of your counsel or Judges, that can make your people happy, without things go well amongst the Justices, who are the conduits to convey the happy streams of your government to your people. That your Majesty would as soon advance and call a knight or gentleman that liveth in an honourable and worthy fashion in his country; and it were to be of your counsel or to office about yourself, your Queen, or son, or an Ambassador employed in foreign parts, or a courtier bred an attendant about your person. That your Majesty is and will be careful to understand the country

APP. IV. 23. as well as your court for persons, and that those that are worthy servants in the country shall not need to have their dependence upon any the greatest subject in your kingdom, but immediately upon yourself.

IV. 24. FRANCIS BACON TO LORD ZOUCH.

(Orig. in State Paper Office.)

Gorhambury, 3rd August, 1619.

Whereas there are processes gone out, at Mr. Attorney General's prayer, against Hugh Hugginson and Josias Ente, concerning the business against the Dutchmen in Star Chamber; out of a desire to preserve the ancient privileges and customs due to your place, not to serve such process within your jurisdiction without your leave and consent, I thought good hereby to desire your Lordship for his Majesty's service, that you would cause them forthwith to be sent up to answer Mr. Attorney's bill, and abide such further proceedings as their case shall require.

IV. 25. FRANCIS BACON TO KING JAMES.

(Orig. in State Paper Office.)

MAY IT PLEASE YOUR MAJESTY, Oct. 1626 [? 1620].

According to your commandment I have considered of your patent granted about the time of your going into Scotland unto Mr. Murray and Sir Robt Lloyd, of a custom or duty detained from your Majesty of one shilling four pence upon the cloth and 2*s.* in the pound upon certain Northern cloth, by colour of a Privy Seal [of] Queen Elizabeth and of a former Seal certificate made by the Earl of Suffolk, then Lord Treasurer, Mr. Chancellor that now is,

and myself, then your Attorney-General, upon which certificate the patent did pass.—And do find that the said certificate is very true and well grounded, wherein I have strengthened myself with the opinion of your new Solicitor, so that there is no doubt but the right was and is in your Majesty, and the third part thereof was sufficiently granted unto them, who nevertheless submit their interest (being for one-and-twenty years) unto your Majesty. But to suffer the patent to go on to operation, either for your Majesty's two parts or their third part, considering that the merchants have been in long past of that ease, and that cloth is now loaden with the pretermitted duty which was not before (and of which this is no part), and [damaged] the state of the trade of cloth hath been weakened [damaged] for that is concerned the cost of some of the out ports . . . . . not in any sort advise it, but humbly leave it to your Majesty's . . . r judgment. App. IV. 25.

FRANCIS BACON TO SECRETARY CONWAY. IV. 26.

(Orig. in State Paper Office.)

GOOD MR. SECRETARY, Jan. 21, 1623.

When you visited me you expressed in so noble a fashion a vif sense of my misfortunes, as I cannot but express myself no less sensible of your good fortune, and therefore do congratulate with you for your new honour now settled. The excellent Marquis brought me yesterday to kiss the King's hands, so as now methinks I am in the state of grace. Think of me and speak of me as occasion serveth. I shall want no will to deserve it. At best, nobleness is never lost. I rest your affectionate friend, to do you service,

FRANCIS ST. ALBANS.

App. IV. 27.

FRANCIS BACON TO SECRETARY CONWAY.

(Orig. in State Paper Office.)

GOOD MR. SECRETARY, Gray's Inn, 3rd of June, 1624.

This gentleman, Mr. Richard Gilman, who hath been (?) towards me, hath served formerly in Scinde and Russia and the Low Countries, and is suitor now for a lieutenant's place in these succours which are now to be sent. I recommend his suit unto you, and shall give you very hearty thanks if, for my sake, you will pleasure him.

I rest your very affectionate friend,

FS. ST. ALBANS.

No. V.

V. 1. PATENT ROLL, 16 ELIZABETH, PART 6, MEMB. 3.

D' firma p Edwardo Bacon, armigero.

REGINA oñibz ad quos, etc., salt̃m. Sciatis qd nos in consideracõe qd̃ dil̃cus subditus nr̃ Edwardus Bacon, armig̃, non solum sup̃ se assumpsit nos hered̃ et successor̃ nr̃os exoñare de solucõe quatuor libr̃, et decem solidor̃, p feod̃ custod̃ parci nr̃i de Istleworth alˢ dict' the newe Parke of Richemonde in Com̃ nr̃o Midd' annuatim allocat̃' sed eciam de oñibz repacõnũ oñiũ domor̃, et edificior̃, in dõo Parco existen' et manutenc̃' inclaus' p̃dict̃' parci cum sepibz et fossat̃' cum quibz feod̃ et oñibz nos ad p̃sens oñat̃ sum⁹ tradidim⁹ concessim⁹ et ad firmam dimisim⁹, ac p p̃sentes t'dim⁹ concedim⁹ et ad firmam dimittim⁹ p̃fato Edwardo

Bacon totum illum parcum nr̃m de Istleworth al̃s dict̃' the new Parke of Richmonde cum ꝑtiñ' in Com̃ nr̃o Midd', ac om̃es t̃ras nr̃as prat̃' et pastur̃' in dc̃o parco modo vel nuꝑ inclus̃' cont̃' ꝑ estimacõem octoginta septem acr̃', necnon om̃ia domos, logeas, edificia, gardiñ', pomar̃, stagñ', aquas et piscacões in ꝑco ꝓdc̃o existeñ', seu eidem ꝑtineñ'; aceciam totam illam primam vesturam et tonsur̃ triũ ꝑcell̃ prati in prato voc̃' Ferie meade, ext^a parcum ꝓdc̃m jaceñ ꝑ Rivũ Thames' cont̃' ꝑ estimacõem d̃uodecem acr̃, ac totam illam primam vesturam et tonsur̃ unius ꝑcell̃ terr̃ in cõi prato voc̃ More meade, ext^a dc̃m parcum insimul jaceñ ad Borial̃ finem dc̃i prati, int̃ Rivũ Thames' ib̃m ex parte occideñ et cõe campum ib̃m voc̃ Twickenham feild, ex parte oriental̃ contineñ ꝑ estimacõem quinq; acr̃ et dimid̃. Que quidem tres ꝑcelle prati in prato voc̃ Ferie meade, et ꝑcell̃ prati in cõi prato voc̃ More meade, nuꝑ domui Sion in dc̃o Com̃ Midd̃' spectabant et ꝑtinebant, ac ꝑcell̃' t̃raꝝ et possessionũ dc̃i nuꝑ domus quondam extiter̃' et ꝓfic̃ prime vestur̃' et tonsur̃' eaꝝdem ꝑ custod̃ parci ꝓdict̃' ꝓcept̃' et gavis' sunt: exceptis tamen semꝑ et nob̃ hered̃ et successor̃ nr̃is om̃io res̃vat̃ om̃ibꝫ grossis, arboribꝫ, boscis, subboscis miner̃ et quarr̃ ꝓmissoꝝ. Hēnd̃ et tenend̃ ꝓdc̃m parcum domos, logeas, edificia, gard̃, pomar̃, stagñ, terr̃, pastur̃, prat', vestur̃, et tonsur̃ pratoꝝ ac cet̃a om̃ia ꝓmissa supius in hiis ꝓsent̃' dimis̃s' cum eoꝝ ꝑtiñ uniṽsis, (exceptis ꝓexceptis), ꝓfato Edwardo Bacon, execut̃' et assigñ suis, a festo Sc̃i Mich̃is Arch̃i ultimo ꝓt̃ito usq; ad finem t̃mini et ꝑ t̃minũ viginti et unius annoꝝ extunc ꝑx̃ sequeñ et plenar̃ complend̃, reddendo annuatim nob̃ hered̃ et succes̃s' nr̃is, de et ꝓ ꝓdc̃o parco cum ꝑtiñ, sex libras et septem solidos; ac de et ꝓ prima vestur̃ et tonsur̃ dc̃aꝝ triũ ꝑcellaꝝ prati in prato voc̃ Ferie meade, viginti et quatuor solidos; ac de et ꝓ prima vestur̃ et tonsur̃ ꝓdc̃e ꝑcelle t̃re

App. V. 1.

App. V. 1. in cōi prato v̄oc̄ More meade, undecem solid legalis monete Angl ad festa Annunciacōis b̄te Marie v̄ginis et Sc̄i Mich̄is Arch̄i, ad manus ballivor, vel receptor, p̄missor, p tempore existeñ p equales porcōes solvend, durante t̄mino p̄dc̄o. Et p̄dc̄us Edwardus Bacon executores et assignati sui nos heredes et successores nr̄os de quatuor libris et decem solidis p feod custod pci p̄dict̄' solvend annuatim et de tempore in tempus exoñabunt acquietabunt et indempnes cons̄vabunt durante t̄mino p̄dc̄o. Et ult̄ius p̄dc̄us Edwardus Bacon, executores et assignati sui, om̄ia domos et edificia ac om̄ia sepes, fossata et inclur̄ parci p̄dict̄', cum fossat̄' sepibȝ et le quicksett; necnon om̄es alias necessar̄ repac̄ p̄missor, (p̄t̄qām in Pallac̄) in om̄ibȝ et p om̄ia de tempore in tempus tociens quociens necesse et oportunū fūit sumptibȝ suis et expensis bene et sufficient̄ repabunt, supportabunt, sustinebunt et manutenebunt durante t̄mino p̄dc̄o, ac p̄missa sufficient̄ repata et manutenta in fine t̄mini illius dimittent. Et volum⁹ ac p p̄sentes concedim⁹ p̄fato Edwardo Bacon execut̄' et assign̄ suis qd bene licebit eis et eor, cuilt de tempore in tempus cape, pcipe et h̄ere de, in et sup p̄missis cresceñ, competeñ et sufficieñ houseboote, hedgebote, firebote, ploughboote, et carteboote ib̄m et non alibi annuatim expendend et occupand durañ t̄mino p̄dc̄o. Et qd h̄eant maer̄ in boscis et terris p̄missor, cresceñ ad et v̄sus repacōes domor, et edificior, p̄missor, p assignac̄ et supvicōem Senescalli seu subsenescalli aut alior, officiarior, nr̄or, hered et successor, nr̄or, ib̄m p tempore existeñ durañ t̄mino p̄dc̄o. Proviso semp qd si contig̃it p̄dc̄os sepales redd supius res̄vat̄ aut eor, aliquem aretro fore non solut̄ in parte vel in toto (si debito modo petant^r) p spaciū quadraginta dier, post aliquod festum festor, p̄dc̄or, quout p̄fert^r solvi debeant, qd tunc et deinceps hec p̄sens dimissio et concessio vacua

sit ac ꝑ nullo ħeat' aliquo in ꝑsentibꝫ in contᵃrium inde non obstañ: aliquo statuto, etc. In cujus rei, etc. T': R': apud Westm̃ ꝛcio die Marcii. App. V. 1.

ꝑ Warrañ Com̃issionar̃.

PATENT ROLL, 38 ELIZABETH, PART 6, MEMB. 25. V. 2.

D' coñ firm̃ ꝑ Francisco Bacon, armiĝo.

REGINA om̃ibꝫ ad quos, etc., sałtm. Sciatis qđ nos tam ꝑ fine quadraginta solidoꝝ legalis monete Angł ad Recept̃ Scᵃcii ñri ad usum nr̃um ꝑ diłcm et fidelem nr̃m Franciscum Bacon, armiĝum, unū de Consilio nr̃o, erudito in lege, solut̃, qᵃm ꝑ divsis aliis causis et consideracõibꝫ, de avisameñ diłcoꝝ et fideliū Consiliarioꝝ nr̃oꝝ, Wiłłi, Baronis de Burghly, Thesaurar̃ nr̃i Angł, et Joħis Fortescue, militis, Cancellar̃ et Subthesaurar̃ Cur̃ Scᵃcii nr̃i, tᵃdidimᵒ, concessimᵒ et ad firmam dimisimᵒ, ac ꝑ ꝑsentes tᵃdimᵒ, concedimᵒ et ad firmam dimittimᵒ ꝑfato Francisco Bacon, totam iłł parcellam nr̃am bosci vel ꝛre boscalis, jaceñ, cresceñ et existeñ infra forestam de Zelwood, in Com̃ nr̃o Som̃s', vocat̃' et cognit̃ per nomen the Pittꝭ, contineñ ꝑ estimacõem sexaginta acras, sive plus sive minus, ac om̃es copicias, arbores putridas, Anglice dict' seare or dottrell trees, or shells, or stubbes, et virgult̃', Anglice dict̃' shrubbs, suꝑ ꝑmissa cresceñ sive existeñ, unacum om̃ibꝫ locis aptis Anglice dict' Cleares or lawnes in ꝑdc̃is ꝛris boscalibꝫ content̃', necnon herbagiū ꝑmissoꝝ; ac om̃ia ꝑficua, com̃oditates, advantagia, emolumenta, et hereditamenta nr̃a quecunq; de ꝑdict̃ parcełł bosci vel ꝛre boscalis vocat̃ the Pyttꝭ, accideñ, renovañ sive em̃geñ, parcełł Maner̃ de Marston Bigott in dc̃o Com̃ nr̃o Som̃s. Exceptis tamen semꝑ et nobis, heredibꝫ et successoribꝫ nr̃is om̃ino reservat̃', om̃ibꝫ arboribꝫ maer̃ existeñ, ac om̃ibꝫ

App. V. 2. hujusmodi pulchris lez saplinges quercuū aptis fieri vel fore maereñ necnon sufficieñ lez staddells in qualt acra ꝑmissor, scđm formam statuti in eo casu nup editʼ et ꝓvisʼ. Heñđ et tenenđ ꝑdictʼ parcell bosci ac ceta omia et singula ꝑmissa cum ptiñ (exceptʼ ꝑexceptʼ) ꝑfato Francisco Bacon, executoribz et assigñ suis a festo Añunciacōis ƀe Marie Virginis ultimo ꝑtito usq, ad finem tmini viginti et unius annor, extunc ꝓx sequeñ et plenarie complenđ, Reddendo inde annuatim noƀ, heredibz et successoribz nr̃is, septem libras et decem solidos legalis monete Angl ad festa Sc̃i Micħis Arcħi et Añunciacōis ƀe Marie Virginis ad Recept Scᵃcii nr̃i seu ad manus Ballivor, vel Receptor, ꝑmissor, ꝓ tempore existeñ p equales porcōes solvenđ durañ tmino ꝑdc̃o. Et ꝑdc̃us Franciscus Bacon, executores et assigñ sui, nisi duas succisiones tantum boscor, ꝑdictʼ infra tminū p ꝑsentes conceſſ fac̃ seu fieri causabunt, ac eosdem boscos temporibz congruis ꝓ succisione boscor, et non alit succident, necnon dc̃os bosc̃ sic p ipm̃ seu assigñ suos succisos cum fossat̃ vel sepibz bene et sufficient includent et incipic̃ ac a morsu conculcacōe et damno aīaliū ꝑservabunt et custodient absq, imposicōe aliquor, equor, aut aīaliū in eisdem, qui virgult̃ et lez springe eor,dem boscor, lede possint durante tmino in statuto ꝓ hujusmodi genere boscor, limitat̃; Necnon sufficieñ lez staddells in qualt acra tre boscal scđm formam statuti in eo casu nup edit̃ et ꝓvis̃ dimittent et relinquent. Aceciam has lras nr̃as patentes tam coram Auditore nr̃o Com̃ ꝑdictʼ ꝓ oñacōe reddit̃ ꝑdictʼ infra spaciū unius anni ꝓx̃ sequeñ post dat̃ har, lrar, nr̃ar, patenciū qᵃm coram Supvisore nr̃o bosc̃ nr̃or, citᵃ Trentham ꝓ supvis̃ pformacōe Convenc̃ ꝑdict̃ anteqᵃm aliquam succisionem in boscis ꝑdict̃ fac̃ irrotulabunt seu irrotulari causabunt. Proviso semp qđ si contigit ꝑdictʼ reddit̃ supuis̃ p ꝑsentes reservat̃ aretro fore non

solut̃' in parte vel in toto ꝑ spaciū quadraginta dier, post aliquod festum festorum p̃dc̃or, quout p̃fert^r solvi debeat, qđ tunc et deinceps hec p̃sens dimissio et concessio vacua sit ac ꝑ nullo ħeat^r, aliquo in p̃sentibꝫ incontr^aiu inde non obstañ; aliquo statuto, etc. In cujus rei, etc. T' ꝶ apud Westm̃, xiiij die Julii. App. V. 2.

ꝑ Warrañ Com̃issionar̃.

Patent Roll, 38 Elizabeth, Part 6, Memb. 20. V. 3.

D' coñ firm̃ ꝑ Francisco Bacon, armig̃o, et Jo. Hibberd.

Regina Om̃ibꝫ ad quos, etc., saltm. Sciatis qđ nos tam in consideracõe boni, fidelis et longi s̃vic̃ noƀ ꝑ dilcm s̃vieñ nr̃m Rađum Fletcher, unū Valett' de le Vestrie in Hospicio nr̃o, antehac fact̃' et impens̃' q^ām ꝑ quibusdam aliis causis et consideracõibꝫ nos spīalit̃ moventibꝫ, Necnon ad humilem peticõem p̃dc̃i Rađi Fletcher de gr̃a nr̃a spīali ac ex c̃ta scientia et mero motu nr̃is, Tradidim⁹, concessim⁹ et ad firm̃ dimisim⁹, ac ꝑ p̃sentes ꝑ noƀ, heredibꝫ et successoribꝫ nr̃is t^ādim⁹, concedim⁹ et ad firm̃ dimittim⁹ dilco noƀ Francisco Bacon, Armig̃o, Tenenti nr̃o, totum ill parcum nr̃m de Istleworth, alias dict', The new parke of Richmond, cum ꝑtiñ, in Com̃ nr̃o Miđđ', Ac om̃ia t̃ras, prat̃' et pastur̃ in dc̃ó parco modo vel nuꝑ inclus̃', contineñ ꝑ estimacõem octoginta septem acras, Necnon om̃ia domos, logeas, edificia, gardina, pomaria, stagna aquas, et piscacões in parco p̃dc̃o existeñ, seu eidem ꝑtineñ; Aceciam totam illam primam vesturam et tonsur̃ triū sepaliū prat̃' in prato vocat̃' Ferry meade, ext^ā parcum p̃dict̃' ꝑ rivū Thamesis, contineñ ꝑ estimacõem duodecim acras, Ac totam illam primam vestur̃ et tonsur̃ unius parcelle prati in cõi prat̃' vocat Moremeade, ext^ā dc̃m parcum insimul jaceñ ad

App. V. 3. boreał finem dc̃i prati, inꝰ rivū Thamisis ibidem ex parte occideñ, et cōem campum ibidem, vocat̃' Twikenham feilde, ex parte orientali, contiñ ꝑ estimacōem quinq; acras dimid. Quequidem tres parcelle prati in prato vocat̃' Ferry meade et parcełł prati in cōi prato vocat̃' Moremeade, nuꝑ domui Sion in dc̃o Com̃ Midd' spectabant et ꝑtinebant, ac parcełł ꝰraŗ et possessionū dc̃e nuꝑ domus quondam extiterunt; Et ꝓficua prime vesture et tonsure eoŗdem ꝑ Custodem parci ꝑdc̃i ꝑcept̃' et gavisa fuerunt. Quodquidem parcum et ceꝰa ꝑmissa ꝑ ꝑsentes dimiss̃' dc̃e nuꝑ domui Sion in dc̃o Com̃ Midd' spectañ et ꝑtiñ ac parcełł possessionū inde quondam existeñ ac cuidam Miloni Doddinge, generoso, ꝑ lr̃as nr̃as patentes magno Sigillo nr̃o Angł sigillat̃' gereñ dat̃' apud Westm̃, decimo die Augusti, Anno regni nr̃i vicesimo ꝰcio ꝓ ꝰmino triginta annoŗ in Anno Dñi Miłłimo, quingentesimo nonagesimo quarto, et ꝑ annuał reddit̃ octo libraŗ et duoŗ solidoŗ (inꝰ alia) dimiss̃' et concessa fuerunt, Ac om̃ia alia ꝓficua com̃oditates, advantagia, emolumenta et hereditameñ nr̃a quecunq; ꝑdict̃' parco et ceꝰis ꝑmissis ꝑ ꝑsentes dimiss̃' ullo modo spectañ vel ꝑtineñ, aut ut memb̃r' partes vel ꝑcełł ꝑdict̃ parci et ceꝰor ꝑmissoŗ antehac usualiꝰ ꝑ reddit̃' inferius ꝓinde reservat̃' dimiss̃', locat̃', ħit̃', cognit̃', accept̃', usitat̃', occupat̃', reputat̃' seu gavis̃' existeñ. Sciatis ulterius qđ nos tam in consideracōe ꝰvicii ꝑdc̃i Rađi Fletcher, qᵃm ꝓ consideracōbꝫ supᵃdict̃', de ampliori gr̃a nr̃a spīali, ac ex ꝰta sciencia et mero motu nr̃is, Tradidimꝰ, concessimꝰ et ad firmam dimisimꝰ, ac ꝑ ꝑsentes ꝓ nob̃, heredibꝫ et successoribꝫ nr̃is, tᵃdimꝰ, concedimꝰ et ad firm̃ dimittimꝰ, fideli subdito nr̃o Joħi Hibberd, om̃es illas quinquaginta et septem acras et decem ꝑticat̃' terr̃ arrabił et pastur̃, sive plus sive minus, cum eoŗ ꝑtiñ, univꝰsis̃ sepatim jaceñ et existeñ in Whaplodd, in Com̃ nr̃o Lincolñ, nuꝑ in tenura sive occupacōe Thome

Pinchbeck et Ric̃i Bennett vel assign̄ suor̦ sive eor̦ alt̃ius, ac modo in tenura sive occupacõe Thome Middlecote vel assign̄ suor̦ annual reddit̃ Quatuor librar̦ et triũ solidor̦; Ac om̃es illas decem acras t̃re arrabil prati et pastur̃ cum ꝑtin̄, jacen̄ et existen̄ in vill et campis de Whaplodd ꝑdict' in ꝑdc̃o Com̃, quondam in tenura sive occupacõe Joh̄is Parker et nuꝑ in tenur̃ Will̄i Skarlett, et modo vel nuꝑ in tenura sive occupacõe Joh̄is Dawson et Thome Dawson, vel assign̄ suor̦ seu assign̄ eor̦ alt̃ius; Ac totam illam pastur̃ nr̃am vocat̃ Souterland jacen̄ et existen̄ in dict' vill et Campis de Whaplodd ꝑdict̃, quondam in tenura sive occupacõe dc̃i Joh̄is Parker, et modo in tenura sive occupacõe ꝑdc̃i Will̄i Skarlett vel assign̄ suor̦ annual reddit̃ int̃ se triginta duor̦ solidor̦ et octo denarior̦. Quequidem ꝑmissa in Whaplodd ꝑdict̃ sunt parcell Man̄ii nr̃i de Whaplodd, ac nuꝑ Monast̃io de Crowland quondam spectan̄ et ꝑtin̄, ac parcell t̃ar̦ et possessionũ inde quondam extiterunt, ac ꝑfat̃ Thome Middlecote ꝑ lr̃as paten̄ magno sigillo nr̃o Angl sigillat̃, geren̄ dat̃ apud Westm̃, vicesimo quarto die Julii, Anno regni nr̃i tricesimo scđo, ꝑ t̃mino viginti et unius annor̦ incipiend a Festo An̄unciacõis b̃e Marie Virginis tunc ultime ꝑt̃ito, Reddend annuatim nob̃, heredibꝫ et successoribꝫ nr̃is de et ꝑ om̃ibꝫ ꝑmissis in tenura Thome Middlecote (ut ꝑfert^r) existen̄, Quatuor libras et tres solidos, ac de et ꝑ ꝑmissis in sepal tenur̃ ꝑdict̃ Thome Dawson, Joh̄is Dawson et Will̄i Skarlett (ut ꝑfert^r) existen̄, triginta duos solidos et octo denarios (int̃ alia) dimiss̃' et concess̃' fuerunt; Ac totum ill Scit̃ Maner̃ de Roxham cum suis juribꝫ, membris et ꝑtin̄ uniṽsis in ꝑdc̃o Com̃ nr̃o Lincoln̄, Ac om̃ia edific̃, horrea, stabul, Columbar̃, hortos, pomar̃ et gardin̄ eidem spectan̄, cum suis ꝑtin̄, unũ toftum contineñ ꝑ estimacõem tres rod, duo croft̃ contineñ ꝑ estimacõem duas acras sive plus sive

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acras ꝑre arrabiꝫ in duobꝫ campis ibidem, modo vel nup in tenura Laurencii Dovell, aceciam om̃es illas duas acras pastur̃ jaceñ in Brundham in tenura Mathei Marten vel assigñ suoꝝ. Quequidem ꝑmissa sunt parceꝫꝫ Mañii nr̃i de Glaston, ac parceꝫꝫ ꝑraꝝ et possessionũ Edwardi nup Ducis Som̃s̃, ac cuidam Nicħo Coleman ꝑ lr̃ās nr̃as pateñ, gereñ dat̃' apud Westm̃, decimo nono die Maii, Anno regni nr̃i tricesimo scđo, ꝑ ꝑmino viginti et unius annoꝝ, incipienđ a festo Añunciac̃ōis ƀe Marie Virginis tunc ultimo ꝑꝑito, et ꝑ sepaꝫ annuaꝫ reddit̃' octo solidoꝝ, duoꝝ solidoꝝ, triũ solidoꝝ et quatuor denarioꝝ, duoꝝ soliđ, et duoꝝ solidoꝝ dimiss' et concess' fuerunt; Aceciam totum illud Molendinũ aquaticum nr̃m vocat̃' Farnehām Myll, cum ꝑtiñ, scituat̃' jaceñ et existeñ apud Farneham Royall in Com̃ nr̃o Buck̃', ac om̃ia iꝫꝫ duo clausa nr̃a jaceñ et existeñ in Farneham Royaꝫꝫ ꝑdict̃' vocat̃' the great Bownes and the little bownes, ac om̃es iꝫꝫas ꝑras, arrabiles et prat̃' nr̃ eidem Molendino aliquo modo spectan vel ꝑtiñ, parceꝫꝫ Maner̃ nr̃i de Farneham Royall, parceꝫꝫ possessionũ ꝑquisit̃' de Francisco nup Comite Salop̃, ac postea noƀ conces̃s̃' ante accessum nr̃m ad Coronam hujus regni nr̃i Anglie, ac dimis̃s̃' cuidam Wiꝫꝫo Coxe ꝑ lr̃as nr̃as pateñ magno sigillo nr̃o Anglie sigillat̃', gereñ dat̃' quartodecimo die Marcii, Anno regni nr̃i undecimo, ꝑ ꝑmino viginti et unius annoꝝ, incipienđ a tempore quo quedam dimis̃s̃' cuidam Antonio Reade, Geñoso, de eisdem fc̃ta ꝑ ꝑmino viginti et unius annoꝝ ꝑ lr̃as nr̃as pateñ magno sigillo nr̃o Angꝫ sigillat̃', gereñ dat̃' vicesimo ꝑcio die Junii, Anno regni nr̃i ꝑcio, ꝑ expiracōem sursumreddicōem, forisfcũr̃ seu deꝑminacōem inde aut alio modo quocunq; primo et ꝑx̃' vacari, finiri seu deꝑminari contiĝit et ꝑ annuaꝫ reddit̃' quadraginta solidoꝝ. Et postea cuidam Anne Twiste ux̃i Thome Twiste ꝑ alias lr̃as nr̃as pateñ magno sigillo nr̃o Angꝫ sigillat̃' gereñ dat̃'

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pienda confeccõe dc̃aꝝ lr̃aꝝ pateñ ꝑ et durañ resid̃ sepal̃ terminoꝝ annoꝝ supius in ꝑdict̃' sepalibꝫ Indenturis ꝑdict̃' nup Comitis Warr̃ spi'ficat̃', et ꝑ ꝑdictis sepal̃ annual̃ reddit̃' in eisdem mencionat̃', dimiss̃' et concess̃' fuerunt. necnon totum illud teñ nr̃m et duas bovat̃' ꝯre cum eoꝝ ꝑtiñ univsis quondam in tenura sive occupacõe Joh̃is Marshall̃ vel assigñ suoꝝ, scituat̃', jaceñ et existeñ in Hessey in Com̃ nr̃o Eboꝝ vel infra Com̃ Civitatis Eboꝝ, seu eoꝝ aliquo annual̃ reddit̃' octodecim solidoꝝ, ac totum illud alꝯum teñ nr̃m et duas bovat̃' ꝯre cum eoꝝ ꝑtiñ ibidem, quondam in tenura sive occupacõe Rob̃ti Tarte alias Tatte vel assigñ suoꝝ annual̃ reddit̃' septemdecem solidoꝝ et octo denarioꝝ ac totum illud teñ et duas bovat̃' ꝯre cum eoꝝ ꝑtiñ ibidem modo vel nup in tenur̃ sive occupacõe Thome Hedley vel assigñ suoꝝ, annual̃ reddit̃' sexdecim solidoꝝ. Que om̃ia ꝑmissa in Hessey ꝑdict̃' sunt parcell̃ Maner̃ nr̃i de Poppleton, in ꝑdc̃o Com̃ nr̃o Eboꝝ, ac nup Monaster̃ b̃e Marie, juxta mur̃ Civitat̃' Eboꝝ, quondam spectañ et ꝑtineñ, ac parcell̃ possessionũ inde quondam existeñ, ac cuidam Georgio Tirell ꝑ lr̃as nr̃as pateñ magno sigillo nr̃o Angl̃ sigillat̃', gereñ dat̃' apud Westm̃, decimo sexto die Aprilis, Anno regni nr̃i undecimo, ꝑ ꝯmino triginta et unius annoꝝ, incipiend̃ a tempore quo quedam lr̃e pateñ et dimissio inde ꝑ lr̃as pateñ Dñi Ph̃i et ꝑcarissime sororis nr̃e Marie, nup Regis et Regine Anglie, sub magno sigillo suo Angl̃ confect̃', gereñ dat̃' apud Ashur, vicesimo scd̃o die Aprilis, Annis regnoꝝ suoꝝ primo et scd̃o, cuidam Rad̃o Hall concess̃' ꝑ expiracõem, sursum reddicõem, forisfc̃ur̃, aut alio quocunq; modo primum et ꝑx̃' vacari, finiri seu determinari contiĝit, et ꝑ annual̃ reddit̃' quinquaginta unius solidoꝝ et octo denarioꝝ dimiss̃' et concess̃' fuerunt, ac om̃ia et singula domos, edificia, structur̃, horrea, stabul̃, columbar̃, hort̃', pomar̃, gardiñ, terr̃, teñ, prat̃,'

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ꝑdict' Com̃ nr̃o Lincoln̄, ac ceꝑa om̃ia et singula ꝑmissa parcell Mañii de Whaplodd ꝑdict', ꝑfato Thome Middlecote p lr̃as pateñ supius annotat' ut ꝑfert' dimiss', ac ꝑdca duo claus' prati et pastur̃, ac ꝑdict' virgult', cotag̃, curtilag̃, terr̃ arrabil, prat', et pastur̃, ac ceꝑa om̃ia et singula ꝑmissa parcell Maner̃ de Glaston ꝑdict' in Glaston ꝑdict', in ꝑdco Com̃ nr̃o Som̃s, cum eor, ptiñ univsis (except' ꝑexcept') ꝑfato Joh̄i Hibberd, executoribz et assign̄ suis, a festo Añunciacois ꝺe Marie Virginis quod erit in Anno Dñi Mill'imo Sexcentesimo undecimo, usq; ad finem ꝓmini et p ꝓminū viginti et unius annor, extunc ꝓx' sequeñ et plenar̃ complend, Reddendo extunc et abinde annuatim noꝺ, heredibz et successoribz nr̃is, de et p ꝑmissis in Whaplodd ꝑdict' in tenura ꝑdci Thome Middlecote ut ꝑfert' existeñ, quatuor libras et tres solidos; ac de et p ꝑmissis in Whaplodd ꝑdict' in sepal tenur̃ Thome Dawson, Joh̄is Dawson et Will'i Skarlett ut ꝑfert' existeñ, triginta duos solidos et octo denarios; ac de et p ꝑmissis parcell Maner̃ de Glaston ꝑdict' in tenura dci Joh̄is Howchins ut ꝑfert' existeñ, octo solidos; ac de et p ꝑmissis parcell ejusdem Mañii in tenura dci Joh̄is Payne ut ꝑfert' existeñ, duos solidos; ac de et p ꝑmissis parcell ꝑdict' Maner̃ de Glaston in tenura dci Rici Sargant ut ꝑfert' existeñ, tres solidos et quatuor denarios; ac de et p ꝑmissis parcell ejusdem Maner̃ in tenura dci Lawrencii Dovell ut ꝑfert' existeñ, duos solidos; Necnon de et p ꝑmissis parcell dict' Maner̃ de Glaston in tenura dci Mathei Marten ut ꝑfert' existeñ, duos solidos legalis monete Augl ad fest' Sci Mich̄is Archi et Añunciacois ꝺe Marie Virginis ad Recept' Sc̄cii nr̃i hered et successor, nr̃or, seu ad manus Ballivor, vel Receptor, ꝓmissor, p tempore existeñ p equales porcões solvend duran ꝓmino ꝑdco inde p ꝑsentes ꝑconcess'. Ac Hend et tenend ꝑdict' Scit' Maner̃ de Roxham, domos,

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p̄dict' duo claus' jacen et existen in Farneham Royall p̄dict' vocat' the great Bownes and the little Bownes et om̄es p̄dict' p̄ras arrabit et prat' eidem Molendino aliquo modo spectan vel ptinen ac cet̄a om̄ia et singula p̄missa parcell Manet̄ de Farneham Royall p̄dict' cum eor' ptin̄ univ̄sis (except' p̄except') p̄fato Joh̄i Hibberd, executoribz et assign̄ suis, a festo Añunciacōis b̄e Marie Virginis quod erit in Anno Dni Millimo, sexcentesimo, vicesimo quarto usq; ad finem p̄mini et p̄ p̄minū viginti et unius annor' extunc p̄x' sequen et plenar' complend: Reddendo inde, extunc et abinde annuatim nob, heredibz et successoribz nr̄is, quadraginta solidos legalis monete Angl, ad festa Sc̄i Mich̄is Arch̄i et Añunciacōis b̄e Marie Virginis, ad Recept' Sc^a^cii nr̄i, hered et successor' nrōr' seu ad manus Ballivor' vel Receptor' p̄missor' p̄ tempore existen p̄ equales porcōes solvend duran p̄mino p̄dco inde p̄ p̄sentes p̄conces̄s'. Ac h̄end et tenend p̄dict' claus' sive pastur̄ vocat Leafeilde grove, continen p̄ estimacōem quatuor acras p̄fato Edmundo Gregorie p̄ Indentur̄ p̄dict' supius mencionat' nup dimiss'; aceciam p̄dict' parcell prat' vocat' the Baylies Fee, continen p̄ estimacōem duas acras in Broadehall p̄fato Thome Staunton p̄ Indentur̄ p̄dict' supius mencionat' nup dimiss; Necnon om̄es p̄dc̄as sepales p̄ras et pastur̄ existen parcell parci de Wedgnocke p̄dict' continen p̄ estimacōem decem acras p̄fat' Rob̄to Sheldon p̄ Indentur̄ p̄dict' supius mencionat' nup dimiss, ac cet̄a om̄ia et singula p̄missa parcell Manet̄ de Warr̄ p̄dict' in p̄dco Com̄ nr̄o Warr̄, cum eor' ptin̄ univ̄sis (except' p̄except') p̄fato Joh̄i Hibberd executoribz et assign̄ suis, a tempore quo p̄dc̄e l̄re paten̄ et dimissio ill supius annotat' p̄fat' Thome Staunton inde ut p̄fert' confect' et p̄min̄ annor' in iisdem exp̄s̄s' et mencionat' p̄ expiracōem, sursumreddicōem, forisfcur̄ seu deminacōem inde aut alio modo quocunq; primo et p̄x'

App. V. 3. vacari, finiri seu deꝯminari contiꝗit, usq; ad finem ꝯmini et ꝑ ꝯminũ viginti et unius annoꝝ extunc ꝓx̃' sequeñ et plenar̃ complend̃: Reddendo extunc et abinde annuatim noƀ, heredibꝫ et successoribꝫ nr̃is de et ꝑ ꝑdict̃' claus̃' sive pastur̃ vocat̃' Leafeilde grove, cum ꝑtiñ, sex solidos et octo denarios; ac de et ꝑ ꝑdict̃' parcell̃ prat̃ vocat̃ the Baylies Fee, cum ꝑtiñ, decem solid̃; Necnon de et ꝑ ꝑdict̃' sepal̃ terr̃ et pastur̃ parcell̃ parci de Wedgnocke, cum ꝑtiñ, triginta solidos legalis monete Angl̃ ad Festa Sc̃i Micħis Arcħi et Añunciacõis ƀe Marie Virginis, ad Recept̃' Scᵃcii nr̃i, heredum et successoꝝ nr̃oꝝ, seu ad manus Ballivoꝝ vel Receptoꝝ ꝑmissoꝝ ꝑ tempore existeñ ꝑ equales porcões solvend̃ durañ ꝯmino ꝑdc̃o inde ꝑ ꝑsentes ꝑconcess̃': Prima soluc̃ inde incipiend̃ ad illud festum festoꝝ ꝑdc̃oꝝ quod prim̃ et ꝓx̃' eveñit aut acciderit postqᵃm eadem ꝑmissa parcell̃ Maner̃ de Warr̃ ꝑdict̃', ad manus et possess̃' ꝑdc̃i Joħis Hibberd executoꝝ vel assigñ suoꝝ virtute haꝝ lr̃aꝝ nr̃aꝝ pateñ deveñint seu devenire debent. Necnon ħend̃ et tenend̃ ꝑdict̃' teñ et duas bovat̃' ꝯre cum ꝑtiñ modo vel nuꝑ in tenura ꝑdc̃i Joħis Marshall̃ vel assigñ suoꝝ ut ꝑfertʳ existeñ; ac ꝑdc̃m alꝯum teñ et duas bovat̃' terr̃ cum ꝑtiñ, modo vel nuꝑ in tenura Roƀti Tarte alias Tatte vel assigñ suoꝝ ut ꝑfertʳ existeñ; necnon ꝑdict̃' alꝯum teñ et duas bovat̃' ꝯre cum ꝑtiñ univsis, modo vel nuꝑ in tenura Thome Hedley vel assigñ suoꝝ ut ꝑfertʳ existeñ, ac ceꝯa om̃ia et singula ꝑmissa parcell̃ Maner̃ de Poppleton ꝑdict̃', cum eoꝝ ꝑtiñ univsis (except̃' ꝑexcept̃') ꝑfato Joħi Hibberd executoribꝫ et assigñ suis, a fine expirac̃, sursum reddicõe, forisfc̃ur̃ seu deꝯminacõe ꝑdict̃' ꝯmiñ annoꝝ mencionat̃' et exꝑss' in ꝑdc̃is lr̃is pateñ supius annotat̃' ꝑfato Georgio Tirrell inde inꝯ alia ut ꝑfertʳ confect̃' usq; ad finem ꝯmini et ꝑ ꝯminũ viginti et unius annoꝝ extunc ꝓx̃' sequeñ et plenar̃ complend̃: Reddendo inde extunc et abinde annuatim noƀ,

heredibȝ et successoribȝ nr̃is de et ꝑ ꝑmissis cum ꝑtiñ in tenura Joħis Marshall ut ꝑfert^r existeñ, octodecim solidos; ac de et ꝑ ꝑmissis cum ꝑtiñ in tenura Roƀti Tarte alias Tate ut ꝑfert^r existeñ septemdecim solidos et octo denarios; Necnon de et ꝑ ꝑmissis cum ꝑtiñ in tenura Thome Hedley ut ꝑfert^r existeñ, sexdecim solidos legalis monete Angł, ad Festa Sc̃i Micħis Arcħi et Añunciacõis ƀe Marie Virginis ad Recept̃' Sc^a cii nr̃i, heredum et successor, nr̃or, seu ad manus Ballivor, vel Receptor, ꝑmissor, ꝑ tempore existeñ ꝑ equales porcões solvend durañ ꝯmino ꝑdc̃o inde ꝑ ꝑsentes ꝑconcess̃': Prima solucõe inde incipiend ad illud festum festor, ꝑdc̃or, quod prim̃ et ꝑx̃' eveñit aut accidit postq^a m eadem ꝑmissa parcell Maner̃ de Poppleton ꝑdict̃' ad manus et possessionem ꝑdc̃i Joħis Hibberd executor, vel assignator, suor, virtute har, lr̃ar, nr̃ar, pateñ deveñint seu devenire debent. Et ꝑdict̃' Franciscus Bacon, executores et assigñ sui nos heredes et successores nr̃os, de Quatuor libris et decem solidos ꝑ feod custod parci ꝑdc̃i solvend annuatim et de tempore in tempus exoñabunt, acquiet̃' et indempnes conservabunt durañ ꝯmino ꝑdict̃'. Qdq; ꝑdict̃' Fr̃anciscus Bacon et Joħes Hibberd exec̃ et assigñ sui respective om̃ia domos et edificia, ac om̃ia sepes, fossat̃', incłur̃, littora, ripas, et muros marittimos, necnon om̃es alias necessar̃ reparacões ꝑmissor, eis sepatim dimiss̃' in om̃ibȝ et ꝑ om̃ia de tempore in tempus tociens quociens necesse et oportunũ fuerit sumptibȝ suis ꝑpriis et expensis bene et sufficienꝯ repabunt, supportabunt, sustinebunt, escurabunt, purgabunt et manutenebunt durañ ꝯmino ꝑdc̃o, ac ꝑmissa sufficienꝯ reparat̃' et manutent̃' in fine ꝯmini ꝑdict̃' dimittent. Et volum^9 ac ꝑ ꝑsentes ꝑ noƀ, heredibȝ et successoribȝ nr̃is concedim^9 ꝑfat̃' Francisco Bacon et Joħi Hibberd, executoribȝ et assign suis, qd bene licebit eis et eor, cuiłt de tempore in tempus cape ꝑcipe et ħere

App. V. 3. de, in et sup̱ p̂missa eis sepalit⁹ dimiss̃' cresceñ, competeñ et sufficieñ housebote, hedgebote, firebote, ploughebote, et cartebote ibidem et non alibi annuatim expendend̄ et occupand̄ durañ t̂mino p̂dc̃o; Et qd̄ h̄eant maerem̃ in boscis et t̂ris p̂missor̦ cresceñ ad et v̂sus reparac̃ domor̦ et edificior̦ p̂missor̦ p̱ assignacõem et sup̱vis̃' Seneschall̄ seu Subseneschall̄ aut alior̦ Officiarior̦ nr̃or̦, heredum et successor̦ nr̃or̦ ibidem p̱ tempore existeñ durañ t̂mino p̂dict̃'. Proviso semp̱ qd̄ si contig̃it p̂dict̃' sep̱al̄ reddit̃ sup̱ius p̱ p̂sentes reservat̃' aut eor̦ aliquem aretro fore non solut̃' in parte vēl in toto p̱ spaciũ quadraginta dier̦ post aliquod Festum festor̦ p̂dcor̦ quo ut p̂fert^r solvi debeāt, Qd̄ tunc et deinceps hec p̂sens dimissio et concessio quoad illam partem et p̱cell̄ p̂missor̦ tantũmodo unde sep̱al̄ reddit̃' p̱inde sup̱ius p̱ p̂sentes reservat̃', sic aretro fuer̃ insolut̃' p̱ spaciũ dc̃or̦ quadraginta dier̦ vacua sit ac p̱ null̄ h̄eat^r; Aliquo in p̂sentib3 in contr^āiũ inde non obstañ. Proviso eciam ult̂ius qd̄ si p̂dict̃' Joh̄es Hibberd, executores vel assigñ sui sufficieñ sep̱al̄ dimissiones in scriptis sub sigillo suo conficiend̄ cuil̄t sep̱al̄ teneñ sive occupator̃ p̂missor̦ vel alicujus inde parcell̄ eis p̱ p̂sentes p̂dimiss̃' de sep̱al̄ parcell̄ eor̦dem p̂missor̦ p̱ toto et integro t̂mino annor̦ p̱ p̂sentes p̂concess̃ et p̱ sep̱al̄ annual̄ reddit' sup̱ius p̱ p̂sentes p̱ eisdem reservat̃' infra spaciũ unius anni p̱x̃ sequeñ post dat̃' har̦ lr̃ar̦ nr̃ar̦ pateñ non fec̃int nec fieri causarint dũmodo iidem teneñ sive occupatores eor̦dem p̂missor̦ et eor̦ quil̄t respective solv̂int seu solvi fec̃int eidem Joh̄i Hibberd, executorib3 vel assigñ suis, infra dc̃m spaciũ unius anni p̱x̃' sequeñ post dat̃' har̦ lr̃ar̦ nr̃ar̦ pateñ om̃es tales pecuniar̦ sum̃as quales et quant̃' p̱inde cum p̂dc̃o Joh̄e Hibberd, executorib3 vel assigñ suis solv̂e conveñint vel conveñit, aut om̃es tales et hujusmodi pecuniar̦ sum̃as qual̄ et quant̃' p̱inde solvi p̱ Thesaurar̃ Anglie et Cancellar̃ Cur̃

Scᵘcii ꝑ tempore existeñ sub manibꝫ eoꝝ seu eoꝝ alt̃ius in script̃ erunt sepalit̃ limitat̃ et appunctuat̃ erit, Quod tunc et deinceps hec ꝑsens dimissio et concessio quoad illam partem et parcell̃ ꝑmissoꝝ tantũmodo unde tenens sive occupator non pot̃it h̃ere h̃moi sufficeñ dimiss̃ in script̃, ꝑ vel sup solucõe ꝑ eadem modo et forma ꝑdict̃ scd̃m veram intencõem haꝝ lr̃aꝝ nr̃aꝝ pateñ vacua sit ac nullius vigoris in lege: Aliquo in ꝑsentibꝫ in contrᵃiũ inde non obstañ. Aliquo statuto, etc. In cujus rei, etc. T' ℞, apud Westm̃, xvij die Novembr̃. App. V. 3.

ꝑ b̃re de privato sigillo, etc.

Patent Roll, 40 Elizabeth, Part 3, Memb. 26. V. 4.

. . . . on firm̃ ꝑ
. . . co Bacon,
. . . . .

Regina Om̃ibꝫ ad quos etc salt̃m Cum in lr̃is nr̃is patentibꝫ magno Sigillo nr̃o Anglie sigillat̃ gereñ dat̃ apud Westm̃ quintodecimo die Februarij Anno regni nri tricesimo quarto continetʳ qd tᵃdiderimꝰ concesserimꝰ et ad firmam dimiserimꝰ dilco nob Rob̃to Stephens totam illam Rcor̃iam et Eccl̃iam de Chestleham cum suis juribꝫ membris et ꝑtiñ uniṽsis in Com̃ nr̃o Glouc̃ Ac totam illam Capellam de Charleton cum suis juribꝫ membris et ꝑtiñ uniṽsis in eodem Com̃ dc̃e Rcor̃ie de Cheltenham annex̃ existeñ Ac om̃ia et singula scit̃ mesuagia grangia domos edificia structur̃ horrea stabula columbaria hort̃ pomaria gardina t̃ras teñta prata pascua pastur̃ Cõias piscarias piscacões opa teneñ reddit̃ et s̃vicia tam lib̃oꝝ qᵃm Custumarioꝝ tenentiũ redditus et s̃vicia reservat̃ sup quibuscumq; Dimissionibꝫ et Concessionibꝫ de ꝑmissis eschaet̃ relevia mortuaria herriet̃ fines am̃ciamenta Cur̃ let̃ vis̃ Franc̃ pleg̃ Cur̃ et let̃ ꝑquisit̃ et ꝑficua eoꝝ Necnon totum ill̃ staur̃ nr̃m tam vivũ qᵃm mortuũ

App. V. 4. videlt aꝟior. boñ et catall et grañ Ac oĩes illas decimas g^anor. blad feni lane agnor. vitulor. et aliar. decimar. tam majoꝝ q^am minoꝝ oblacões obvencões fructus ꝑficua coĩoditates advantagia emolumenta et hereditamenta ñra quecumq; cum ꝑtiñ tam spũalia q^am temporalia cujuscunq; sint geñis nature seu speciei scituaꝫ jaceñ et existeñ ꝓvenieñ cresceñ sive emĝeñ infra villas campos parochias sive hamletꝫ de Cheltenham et Charleton ꝓdictꝫ vel eor. aliquo seu alibi in dčo Coĩ nr̃o Glouč dče Rcoĩie et Ečclie de Cheltenham Capelle de Charleton ꝓdictꝫ sciꝫ mesuag terꝝ tentis decimis et ceꝛis ꝓmissis seu eor. alicui vel aliquibꝫ ullo modo spectañ vel ꝑtineñ aut cum eisdem seu eor. aliquo vel aliquibꝫ ut pars membrum vel parcell eor.dem sive eor. alicujus antetunc dimiss locaꝫ vsitaꝫ occupaꝫ reputaꝫ seu gaviš existeñ cum eor. ꝑtiñ univsis quondam existeñ parcell terꝝ tenꝫor. et possessionũ nup monasteꝝ de Cirencester in Coĩ ꝓdictꝫ Exceꝑ tamen semꝑ et noš heredibꝫ et successoribꝫ nr̃is oĩino reservaꝫ oĩibꝫ grossis arbŏribꝫ maeremĩ existeñ boscis subboscis Ward maritag mineꝝ et quarꝝ ac bonis et catallis felonũ fugitivor. et felonũ de se et in exigend posiꝫ condempnaꝫ et utlagaꝫ Ac Advocacõibꝫ Eccliar. et Capellar. quar.cumq; Rcoĩie ꝓdictꝫ vel ceꝛis ꝓmissis appendeñ spectañ vel ꝑtineñ hendum et tenendum ꝑdcam Rcoĩam Ecčiam Capellam scit ꝛerꝝ glebas decimas ac ceꝛa oĩia et singula ꝓmissa cum eor. juribꝫ membr̃ et ꝑtiñ univsis (exceꝑ ꝓexceꝑ) ꝓfaꝫ Roŏto Stephens et assigñ suis a Festo sči Michis Archi tunc ultimo ꝓꝛiꝛo usq; ad finem ꝛmini et ꝑ ꝛmino viginti et unius Annor. extunc ꝑx̃ sequeñ et plenarie complendor. Reddendo inde annuatim noš heredibꝫ et successoribꝫ nr̃is septuaginta quinq; libras tresdecim solidos et quatuor denarios legalis monete Anglie ad Festa Annunciacois ŏe marie virginis et sči michis Archi ad Receptam Sc^acij nr̃i heredum et successor.

nr̃or̃ seu ad manus Ballivor̃ vel Receptor̃ p̃missor̃ ꝑ tempore existeñ ꝑ equales porcões solvend̃ durañ t̃mino p̃dcõ ꝑut ꝑ ꝑdcas t̃ras patentes plenius liquet et apparet Cumq̃ eciam in l̃r̃is nr̃is patentib3 magno Sigillo nr̃o Anglie sigillat̃ geren dat̃ apud Westm̃ decimo die maij Anno regni nr̃i tricesimo t̃cio continet̃ qd̃ t^a^diderim9 concesserim9 et ad firmam dimisserim9 dilco nob̃ Will̃o Greenewell totam illam p̃dc̃am Rcor̃iam et Eccl̃iam nr̃am de Cheltenham cum suis jurib3 membris et ꝑtiñ uniṽsis in dc̃o Com̃ nr̃o Glouc̃ Ac totam illam p̃dcam̃ Capellam nr̃am de Charleton cum suis jurib3 et ꝑtiñ in eodem Com̃ nr̃o Glouc̃ dc̃e Rc̃orie de Cheltenham annex̃ existeñ ac om̃ia et singula p̃dict̃ scit̃ mesuagia grangia domus edificia structur̃ horrea stabula Columbaria hortos pomaria gardina t̃ras teñta prata pascua pastur̃ Cõias aceciam aquas ac p̃dict̃ piscarias piscac̃ões opa tenenciũ reddit̃ et s̃vicia tam libõr̃ q^ũ^m Custumarior̃ tenenciũ redditus et s̃vicia reservat̃ sup quibuscumq̃ dimissionib3 et Concessionib3 de p̃missis seu de aliqua inde parcella fact̃ escaet̃ relevia mortuaria herriet̃ fines am̃ciamenta Cur̃ let̃ vis̃ Franc̃ pleg̃ Cur̃ et let̃ ꝑquis̃icoes et ꝑficua eor̃dem Necnon tot̃ ill̃ staur̃ nr̃m tam vivũ q^ũ^m mortuũ videlt aṽior̃ boñ catall̃ et grañ ac om̃es illas decimas nr̃as g^a^nor̃ blador̃ feni lane agnor̃ vitulor̃ ac alias decimas nr̃as tam majores q^a^m minores oblac̃ões obvenc̃ões fructus ꝑficua com̃oditates advantagia emolumenta et hereditamenta nr̃a quecunq̃ cum ꝑtiñ tam spũalia q^a^m temporalia cujuscumq̃ sint geñis nature vel speciei scituat̃ jaceñ et existeñ ꝑvenieñ cresceñ sive em̃geñ infra villas campos paroch̃ sive hamlett̃ de Cheltenham et Charleton p̃dict̃ seu in vel infra eor̃ aliquem vel aliquos seu alibi ubicumq̃ in dc̃o Com̃ nr̃o Glouc̃ p̃dc̃e Rcõrie et Eccl̃ie de Cheltenham Capelle de Charleton p̃dict̃ scit̃ mesuag̃ terr̃ teñ decim̃ et cet̃is p̃missis seu eor̃ alicui vel aliquib3 ullo modo spectañ

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vel ptiñen aut ut membr̃ parť vel parcell̃ earŋdem Rcõ-r̃iarŋ et Ecclie Capell̃ scit̃ mesuag̃ terr̃ ten̄ deciм̃ ac ceſorŋ ꝑmissorŋ seu eorŋ aliquorŋ vel alicujus antetunc h̃it̃ cognit̃ accept̃ vsitat̃ occupat̃ seu reputat̃ existen̄ nup monaste r̃ de Cirencestr in dcõ Com̃ modo dissolut̃ quondam spectañ et ptineñ ac parcell̃ terr̃ et possessionũ inde quondam existeñ Exceptis tamen semp et noƀ heredibz et successoribz nr̃is om̃ino reservat̃ om̃ibz grossis arboribz maerem̃ existeñ boscis subboscis Wardis maritagiis miner̃ et quarr̃ ac bonis et catallis felonũ fugitivorŋ et felonũ de se et in exigend̄ posit̃ condempnat̃ et utlagat̃ Ac advocacõibz Eccl̃iarŋ et Capellarŋ quarŋcumqꝫ Rcor̃ie ꝑdce vel ceſis ꝑmissis appendeñ spectañ vel ptineñ h̃endum et tenend̄ ꝑdict̃ Rector̃ terr̃ glebales decimas ac ceſa om̃ia et singula ꝑmissa cum eorŋ juribz membris et ptiñ univsis (excepт̃ ꝑexceptis) ꝑfato Willo Greenewell executoribz et assign̄ suis a Festo Annunciacõis ƀe marie virginis tunc ultimo ꝑt̃ito usqꝫ ad finem ꝑmini et p ꝑminũ viginti et unius Annorŋ extunc ꝓx̃ sequeñ et plenar̃ complend̄ Reddendo inde annuatim noƀ heredibz et successoribz nr̃is septuaginta quinqꝫ libras tresdecem solidos et quatuor denarios legalis monete Anglie ad Festa sc̃i michis Arch̃ii et Annunciacõis ƀe marie virginis ad Receptam Scc̄ii nr̃i heredum et Successorŋ nr̃orŋ seu ad manus Ballivorŋ vel Receptorŋ ꝑmissorŋ ꝓ tempore existeñ ꝓ equales porcões solvend̄ duran ꝑmino ꝑdco ꝓut ꝓ easdem l̃ras patentes plenius eciam liquet et apparet Cumqꝫ eciam in l̃ris nr̃is patentibz magno Sigillo nr̃o Anglie sigillat̃ gerеñ dat̃ apud Westm̃ vicesimo sc̃do die Maii Anno regni nr̃i sc̃do continetr qd tradiderim⁹ concesserim⁹ ac ad firmam dimiserim⁹ dict̃o noƀ Henr̃. Jerninghâm militi scitum dce Rcor̃ie de Cheltenhām in dco Com̃ nr̃o Glouc ac ꝑdcam Capellam de Charleton in eodem Com̃ eidem Rcor̃ie añexat̃ Ac om̃ia domos terr̃ prat̃ pascua

pastur̃ gardina redditus et ꝯvicia tam lib̃oŗ qᵃm Custumarioŗ teneñ ad Rcor̃iam sive Capellam ꝑtineñ seu cum eisdem aut aliqua inde parcella antetunc dimiss̃ locat̃ occupat̃ recept̃ seu h̃it̃ Necnon vis̃ Franc̃ pleg̃ Cur̃ let̃ fines heriet̃ mortuaria et relevia ac om̃ia alia ꝓficua quecumq̧ eisdem vis̃ franc̃ pleg̃ et Cur̃ ꝑtineñ Aceciam om̃es decimas bladoŗ feni lane agnoŗ vituloŗ et alias decimas quascumq̧ tam majores qᵃm minores oblacōes et om̄ia alia res ꝓficua et com̄oditates dc̃e Rcor̃ie et Capelle seu eoŗ alt̃i spectañ ꝑtineñ sive incumben Exceptis tamen semp et nob̃ hered̃ et successoribꝫ nr̃is om̄ino reservat̃ om̃ibꝫ et om̃imodis grossis arboribꝫ boscis subboscis Wardis maritagiis miner̃ et quarr̃ ac bonis et catallis felonū fugitivoŗ felonū de se et in exigend̃ posit̃ condempñ et utlagat̃ Ac advocac̃oibꝫ Eccl̃iaŗ et Capellaŗ quaŗcunq̧ Rcor̃ie et capelle p̃dict̃ spectañ ꝑtineñ accideñ sive em̃geñ h̃endum et tenend̃ p̃dict̃ scit̃ Rcor̃ et Capellam necnon p̃dict̃ domos terr̃ prat̃ teñ pasc̃ et pastur̃ gardiñ reddit̃ et ꝯvicia unacum vis̃ franc̃ pleg̃ Cur̃ let̃ finibꝫ herriet̃ mortuarijs et relevijs et om̃ibꝫ alijs ꝓficuis p̃dc̃is de eisdem Cur̃ ꝓvenieñ simul cum decimis oblac̃oibꝫ obvenc̃oibꝫ et alijs rebꝫ ꝓficuis et com̄oditatibꝫ quibuscunq̧ dc̃e Rcor̃ie et Capelle et eoŗ utriq̧ ꝑtineñ spectañ sive incumbeñ aut cum eisdem seu eoŗ aliqua p̃antea dimiss̃ locat̃ occupat̃ recept̃ sive h̃it̃ cum suis ꝑtiñ (except̃ p̃except̃) p̃fat̃ Henr̃ Jernyngham executoribꝫ et assigñ suis a Festo sc̃i mich̃is Arch̃i tunc ultimo p̃t̃ito usq̧ ad finem t̃mini et ꝑ t̃minū sexaginta Annoŗ extunc ꝓx̃' sequeñ et plenarie complendoŗ Reddendo inde annuatim nob̃ heredibꝫ et successoribꝫ nr̃is sexaginta libras et octo denarios legalis monete Anglie ad Festa Anunciac̃ois b̃e marie virginis et sc̄i mich̃is Arch̃i ad Receptam Sccᵃij nr̃i seu ad manus Ballivoŗ vel Receptoŗ p̃missoŗ ꝓ tempore existeñ ꝑ equales porcōes solvend̃ durañ dc̄o

App. V. 4.

App. V. 4. ꝑmino sexaginta Annoꝝ Sciatis qd nos tam in considera c̃oe boni fidelis et acceptabilis ꝯvicij noƀ ꝑ dilcm et fidelem noƀ Franciscum Bacon Armiꝑum antehac facť et impeñs qᵃm ꝓ diꝟsis alijs causis et consideraco̅ibꝫ nos ad hoc spiãliꝑ moveñ de gr̃a nr̃a spiãli ac ex ota scientia et mero motu nr̃is tᵃdidimꝰ concessimꝰ et ad firmam dimisimꝰ ac ꝑ ꝑsentes ꝓ noƀ heredibꝫ et successoribꝫ nr̃is tᵃdimꝰ concedimꝰ et ad firmam dimittimꝰ ꝑfať Francisco Bacon totam illam Rcor̃iam et Eccłiam nr̃am de Cheltenham cum suis juribꝫ membris et ꝑtiñ uniꝟsis in dc̄o Com̃ nr̃o Glouc̄ ac ꝑdc̄am Capellam de Charleton in eodem Com̃ eidem Rcor̃ie annexať Ac om̄ia domos ꝑras prata pascua pastur̃ gardina redditus et ꝯvicia tam liƀoꝝ qᵃm Custumarioꝝ tenenc̄iū ad dc̄am Rcor̃iam sive Capellam ꝑtineñ seu cum eisdem aut aliqua inde parcella antetunc dimiss̃ locať occupať recepť seu ħiť Necnon vis̃ franc̄ pleg̃ Cur̃ leť fines herrieť mortuaria et relevia ac om̃ia alia ꝓficua quecumq; eisdem vis̃ franc̄ pleg̃ et Cur̃ ꝑtineñ Aceciam om̃es decimas bladoꝝ feni lane agnoꝝ vituloꝝ ac alias decimas quascumq; tam majores qᵃm minores oblacōes obvenc̄ et om̄ia alia ꝓficua et com̄oditates dc̄e Rcorie et Capelle seu eoꝝ alꝑi spectañ ꝑtineñ sive incumbeñ Exceptis tamen semꝑ et noƀ heredibꝫ et successoribꝫ nr̃is om̄ino reservať om̃ibꝫ et om̃imodis grossis arboribꝫ boscis subboscis Wardis maritagijs miner̃ et quarr̃ ac bonis et catallis felonū fugitivoꝝ felonū de se et in exigend̄ posiť condempnať et utlagať Ac Advoc̄acōibꝫ Eccłiaꝝ et Capellaꝝ quaꝝcunq; Rcor̃ie et Capelle ꝑdicť spectañ ꝑtineñ accideñ sive em̄geñ ħendum et tenend̄ ꝑdc̄am Rcor̃iam et Capellam sciť terr̃ gleƀ decimas ac ceter̃ om̃ia et singula ꝑmissa ꝑ ꝑsentes dimissa et concessa cum eoꝝ juribꝫ membris et ꝑtiñ uniꝟsis excepť ꝑexcepť ꝑfať Francisco Bacon executoribꝫ et assigñ suis a Festo sc̄i Micħis Arcħi quod erat in Anno Dñi miłłimo quingen-

tesimo nonagesimo septimo usq; ad finem Tm̃ini et ꝑ t̃mino Quadraginta Annor; extunc ꝑx̃ sequeñ et plenar̃ complend Si om̃es p̃dc̃e sepales l̃re patentes Concessiones ac Dimissiones confect̃ et h̃it̃ p̃fat̃ Rob̃to Stephens Will̃o Greenewell ac Henr̃ Jerningham militi de p̃dc̃a Rcor̃ia et Eccl̃ia de Cheltenham ac de Capella de Charleton ac de om̃ib3 et singulis Scit̃ domib3 gardinis t̃ris pratis pastur̃ Cõijs redditib3 et s̃vicijs Cur̃ et om̃ib3 et singulis alijs p̃dc̃is reb3 ꝑficuis com̃oditatib3 tent̃is hereditamentis quibuscunq; cum om̃ib3 et singulis suis ꝑtiñ in d̃c̃is sepalib3 l̃ris nr̃is patentib3 mencionat̃ et exp̃ss fore dimiss̃ et concess̃ vacue irrite et nullius vigoris sive valoris in lege existunt Et in casu qd̃ p̃dc̃e nr̃e sepales l̃re patentes Concessiones ac Dimissiones vel eor; alique vel aliqua confect̃ et h̃it̃ p̃fat̃ Rob̃to Stephens Will̃o Greenewell ac henr̃ Jerningham militi de p̃dict̃ Rcor̃ia et Eccl̃ia de Cheltenham p̃dict̃ ac de Capella de Charlton ac de om̃ib3 scit̃ terr̃ decimis tent̃is et hereditamentis quibuscunq; et cet̃is om̃ib3 et singulis p̃missis cum suis ꝑtiñ in dc̃is sepalib3 l̃ris nr̃is patentib3 mencionat̃ et exp̃ss fore dimiss et concess bone et valide vel bona et valida in lege existunt vel existit Tunc h̃endum et tenendum p̃dc̃am Rcor̃iam et Capellam scit̃ terr̃ glebas decimas ac cet̃a om̃ia et singula p̃missa ꝑ p̃señ dimissa et concessa cum eor; jur̃ib3 membr̃ et ꝑtiñ uniṽsis (exceptis p̃except̃) p̃fat̃ Francisco Bacon executorib3 et assigñ suis a tempore quo p̃dc̃a Rcor̃ia et Capella scit̃ terr̃ decime teñ et hereditamenta ac cet̃a om̃ia et singula p̃missa ꝑ p̃sentes dimissa et concessa cum om̃ib3 et singulis suis ꝑtiñ ad manus et possessionem nr̃as heredum et successor; nr̃or; rõne expiracõis sursumreddic̃ois forisfcũre vel alicujus alt̃ius det̃minac̃ois dc̃ar; sepaliũ dimissionũ vel concess vel ear; aliquar; vel alicujus sic existeñ bonar; et validar; vel bone et valide in lege fac̃t p̃fat̃ Rob̃to Stephens

App. V. 4.

App. V. 4. Willo Greenewell ac henr̃ Jerningham devenire poter̃ aut debent ad finem ꝯmini et ꝑ ꝯmino Quadraginta Annoꝝ extunc ꝑx̃ sequeñ et plenar̃ complend Reddendo inde extunc et abinde annuatim nob̃ heredibꝫ et successoribꝫ nr̃is septuaginta quinq; libras tresdecim solidos et quatuor denarios legalis monete Anglie ad Festa Anũnciac̃ois b̃e marie virginis et sc̃i mich̃is Arch̃i ad Receptam Scᵃcij nr̃i heredum et successoꝝ nr̃oꝝ seu ad manus Ballivoꝝ vel Receptoꝝ ꝓmissoꝝ ꝑ tempore existeñ ꝑ equales porc̃oes solvend durañ ꝯmino ꝓdc̃o ꝑ ꝓsentes ꝓconcess̃ Prima solucoẽ inde incipiend ad illud Festum Festoꝝ ꝓdc̃oꝝ quod primũ et ꝑx̃ eveñit aut acciderit postqᵃm ꝓdc̃a Rcor̃ia et Capella et ceꝯa ꝓmissa ad manus et possessionem ꝓdc̃i Francisci Bacon executoꝝ vel assign suoꝝ virtute haꝝ lraꝝ nr̃aꝝ patenciũ deveñint seu devenire debent Et ꝓdc̃us Franciscus Bacon executores et assign sui solvent Arch̃iano Glouc̃ ꝑ tempore existeñ annualem ꝑcurac̃oem suam duran ꝯmino ꝓdc̃o Ac invenient annuatim ad onus et custag̃ sua ꝑpria duos Capellanos et duos diaconos idoneos et discretos ꝑ nos heredes et successores nr̃os nõiand et admittend ad celebrand et ꝯviend in Ecclia et Capell ꝓdict̃ ꝑut ceꝯi parochiales Capellani et Diaconi in eisdem celebrare et ꝯvire consueverunt Ac invenient panes et vinũ et alias res necessarias ꝑ divinis celebratur̃ necnon ad sacr̃a et sacr̃ental Ecclie parochial Rcor̃ ꝓdict̃ ac in Capella ꝓdc̃a ministrand tam ꝑ com̃unionibꝫ qᵃm aliꝯ ꝑut antehac usitat̃ et consuetum fuit necnon Funiculos et cordas ꝑ campañ dc̃e Ecclie Aceciam straminac̃oem ꝑ eadem Ecclia de tempore in tempus ꝑut opus et necesse fuit dur̃an toto ꝯmino ꝑ ꝓsentes ꝓconcess̃ Quodq; idem Franciscus Bacon executores et assign̄ sui ordinabunt et ꝑvidebunt seu ordinari et ꝑvideri facient qd cursus aque ibidem ꝑ totum tempus ꝓdc̃m possit accurrere

in et ꝑ quemcumq; locum et quācumq; partem terr̃ Rcor̃ie ꝑdict̃ quibus ex antiquo accurrere consuevit et cursus illius aque escurabunt et mundabunt aut escurari et mundari facient sumptibꝫ suis ꝓpriis et expensis durañ ꝯmino ꝑdc̃o Ita qd dampnũ ꝑjudiciũ sive gᵃvamen nob̃ heredibꝫ et successoribꝫ nr̃is ob defect̃ ꝓvisionis mundac̃ois seu escurac̃ois hujusmodi aliquo modo non eveniat in futur̃ Et ulꝯius ꝑdict̃ Franciscus Bacon executores et assigñ sui tam Cancell̃ Eccl̃ie et Capelle ꝑdict̃ qᵃm om̄ia domos et edificia ac om̄ia sepes fossat̃ incl̃ur̃ littora ripas et muros marittimos necnon om̄es alias necessarias reparac̃oes ꝑmiss̃ in om̄ibꝫ et ꝑ om̄ia de tempore in tempus tociens quociens necesse et oportunũ fuit sumptibꝫ suis ꝓpriis et expensis bene et sufficienꝯ reparabunt supportabunt sustinebunt escurabunt purgabunt et manuetenebunt duran ꝯmino ꝑdc̃o Ac ꝑmissa sufficienꝯ reparata et manutenta in fine ꝯmini ꝑdc̃i dimittent Et volumꝰ ac ꝑ ꝑsentes ꝓ nob̃ heredibꝫ et successoribꝫ nr̃is concedimꝰ ꝑfato Francisco Bacon executoribꝫ et assigñ suis qđ bene licebit eis de tempore in tempus cape ꝑcipe et h̃ere de in et sup ꝑmissis cresceñ competeñ et sufficieñ housebote hedgebote firebote ploughbote et Cartebote ibidem et non alibi annuatim expendend̃ et occupand̃ durañ ꝯmino ꝑdc̃o Et qđ h̃eant maerem̄ in boscis et ꝯris ꝑmissor̃ cresceñ ad et ꝟsus reparac̃oes Cancell̃ Eccl̃ie parochialis de Cheltenham ꝑdict̃ ac domor̃ et edificior̃ ꝑmissor̃ ꝑ assignac̃oem et supvisionem Senescalli seu Subsenescalli aut alior̃ Officiarior̃ nr̃or̃ heredum et successor̃ nr̃or̃ ibidem ꝓ tempore existeñ durañ ꝯmino ꝑdc̃o Proviso semꝑ qd si contig̃it ꝑdc̃m annualem redditum Septuaginta quinq; librar̃ tresdecim solidor̃ et quatuor denarior̃ supius ꝑ ꝑsentes reservat̃ aretro fore non solut̃ in parte vel in toto ꝑ spaciũ Quadraginta dier̃ post aliquod Festum Festor̃ ꝑdc̃or̃ quo ut

App. V. 4.

App. V. 4. p̃fert^r solvi debeat qđ tunc et deinceps hec p̃sens Dimissio et Concessio vacua sit ac ꝑ nullo ħeat^r Aliquo in p̃sentibꝫ incont^ariū inde non obstañ Aliquo statuto Actu ordinac̃ōe ꝓvisione ꝓclamac̃ōe sive restricc̃ōe incont^ariū inde antehac ħiĩ facĩ ediĩ ordinaĩ seu ꝓvis̃ Aut aliqua alia re causa vel matiã quacumq; in aliquo non obstañ In cujus rei etc T. R. apud Westm̃ xxvij die Februarij.

ꝑ ƀre de privat sigiłł etc.

No. VI.

VI. Anthony Bacon to Francis Bacon.

(Orig. at Lambeth Palace, 650, fol. 221.)

Brother,

I thought it meet to advertise you that my Lord of Essex, being come expressly yesterday, after dinner, to speak with the French ambassador and Sir Anthony Perez, not finding Sir Anthony Perez at his house, but word that he should repair to Walsingham House with all speed; where he had two hours' conference with him, and, amongst other things, urged the matter you wot of at large, with no less judgment than devotion to my Lord's honour and profit, and good affection to us. His argument my Lord heard most attentively, and accepted most kindly of many right hearty thanks, assuring him that, at his return—which should be within two days—from the Court, he would resolve. The occasion was very fitly ministered by my Lord himself, by advertising Spencer that the Queen had signed at two of the clock, and had given him a hundred pounds in lands, simple fee, and 30*l.* in parks, which, for her quiet-

ness' sake, and in respect of his friend, he was content to accept without any further contention. And so I wish you as myself, APP. VI.

Your entire loving brother,

ANTHONY BACON.

No. VII.

ESSEX TO * * *. VII. 1.

(Orig. at Lambeth Palace, 657, 90.)

MY LORD,

By the advancement of Sir Thomas Egerton to the place of Lord-Keeper (in which choice I think my country very happy), there is void the office of Master of the Rolls. I do, both for private and public respects, wish Mr. F. B. to it before all men, and should think much done for her Majesty's service if he were so placed as his virtues might be active, which now lie as it were buried. What success I have had in commending him to her Majesty your Lordship knows. I would not the second time hurt him with my care and kindness. But I will commend unto your Lordship his cause; not as his alone, or as mine—his friend, but as a public cause, wherein your Lordship shall have honour to the world, satisfaction to see worthy fruit of your own work, and exceeding thankfulness from us both. And so I rest,

Your Lordship's cousin and friend,

E.

App. VII. 2.

ESSEX TO SIR JOHN FORTESCUE.

(Orig. at Lambeth Palace, 657, 90.)

COUSIN,

I do commend unto you both present actions and absent friends—I mean those that are absent from me, so as I can neither defend them from wrong nor help to that right their virtue deserves. And, because an occasion offers itself before the rest, I will commend unto you one above the rest. The place is the Mastership of the Rolls; the man, Mr. Francis Bacon, a kind and worthy friend to us both. If your labours in it prevail, I will owe it you as a particular debt, though you may challenge it as a debt of the state.

And so, wishing you all happiness, I rest,

Your cousin and friend,

E.

Cousin,—I pray you remember my good Dr. Browne. I shall challenge you for a great unkindness if his suit succeed ill.

No. VIII.

VIII. 1. EXTRACTS FROM THE COUNCIL REGISTER, APRIL 25, 1614.

(Orig. in Privy Council Office.)

Present:—

Lord Chancellor.
Earl of Pembroke.
Lord Wotton.
Mr. Secretary Winwood.
Sir Julius Cæsar.
Sir Thomas Lake.

A LETTER TO SIR FRANCIS BACON, KNIGHT, HIS MAJESTY'S ATTORNEY-GENERAL. App. VIII. 1.

We send you here enclosed the Petition of one Richard Arrowsmith, his Majesty's servant, wherein he complaineth unto us, that in February last a number of people gathered together in the night and, in disguised apparel, did riotously pull up and overthrow a hedge and ditch which he had caused to be made about a copse called Newland, for preservation of his Majesty's game in that part of the forest of Windsor; and do pray and require you (if upon further information you shall find the offence to deserve it) to send for such and so many of the offenders as you shall think fit, and to proceed against them in the Star Chamber, the next term, in the behalf of his Majesty, according as is accustomed in cases of like nature. And so, &c.

COUNCIL REGISTER, OCT. 19, 1614. VIII. 2.

(Orig. in Privy Council Office.)

Ut Supra with the Lord Archbishop.

A LETTER TO SIR FRANCIS BACON, KNIGHT, HIS MAJESTY'S ATTORNEY-GENERAL.

Whereas his Majesty hath taken notice of a great resort of gentlemen of quality and livelihood, together with their wives and families, unto the city of London, and other principal cities and towns of this realm, with a purpose (as it appeareth) to settle their habitation there, for saving of charges and other private respects. His Majesty, considering of his great wisdom how prejudicial these courses may prove to the general government of the kingdom, when the country shall be deprived of the assistance and presence of so many gentlemen, who for

APP. VIII. 2. the most part bear office or authority in the counties where they dwell, besides the great decay of hospitality and other inconveniences that will ensue thereupon, is therefore pleased that a Proclamation shall be published, enjoining and commanding all such persons aforementioned to repair unto their several dwellings in the country, before the last of November next, there to abide and continue as heretofore they have usually done, which we require you to draw accordingly and to make ready for his Majesty's signature with as much convenient expedition as you may. And so, &c.

(Orig. in Privy Council Office.)

VIII. 3. At Whitehall, on Tuesday the 20th of February, 1615.

Present:—

The Lord Archbishop of Canterbury.

Lord Treasurer.
Lord Privy Seal.
Duke of Lennox.
Lord Chamberlain.
Earl of Mar.
Earl of Dunfermline.
Lord Bishop of Winchester.
Lord Knollis.
Mr. Secretary Winwood.
Mr. Secretary Lake.
Mr. Chancellor of the Exchequer.
Master of the Rolls.

Upon a difference depending at the Board between the Dutch Congregation of the town of Colchester and one William Goodwin and others of that town, as will appear by petitions offered to the Board by both parties. Forasmuch as the matter consisting of many parties will require a full and deliberate hearing for the better settling of the Trade of Bay and Say making in that place. Their Lordships have this day ordered that his Majesty's Attorney-General, calling all parties before him, do hear and examine the differences and allegations on both sides,

and thereupon to make report of his opinion thereof, and what course he thinketh fit to be observed therein, in writing, by Thursday next in the afternoon, that such further order may thereupon be taken as shall be expedient. APP. VIII. 3.

(Orig. in Privy Council Office.) VIII. 4.

At the Court at Whitehall, on Wednesday in the afternoon, the 5th of April, 1615:

Present:—

Lord Archbishop of Canterbury.

Lord Chancellor.
Lord Treasurer.
Duke of Lennox.
Lord Chamberlain.
Lord Fenton.
Lord Knollis.
Mr. Secretary Winwood.
Mr. Chancellor of the Exchequer.
Lord Chief Justice.
Mr. Chancellor of the Duchy.
Sir Thomas Lake.

William Martin, Recorder of the city of Exeter, being heretofore sent for by order from their Lordships, and this day called unto the Board, and charged by his Majesty's Attorney-General to have lately written a History of England, wherein were many passages so unaptly inserted as might justly have drawn some heavy and severe censure upon him for the same. On his humble submission and hearty repentance and acknowledgment of his fault, their Lordships were pleased to become mediators unto his Majesty for his grace and favour to be extended towards him, which being happily obtained, he is freely dismissed from all further attendance; being first enjoined by their Lordships to manifest hereafter in some short declaration in writing (as he hath already done by words) the true sense and understanding he hath of his offence, together with his repentance for the same. And

APP. VIII. 4. it is further ordered by their Lordships that the bond which he sealed to his Majesty's use for his appearance at the Board should be cancelled and delivered unto him.

No. IX.

IX. REPORT BY THE BARONS OF THE EXCHEQUER, THE SOLICITOR-GENERAL (SIR FRANCIS BACON), AND THE RECORDER OF LONDON, TO THE PRIVY COUNCIL.

(Orig. in State Paper Office.)

MAY IT PLEASE YOUR LORDSHIPS,

We have received your honourable letters bearing date the 25th day of this instant month of June, and enclosed in the same a note of a suit which has been of late presented to his Majesty and by him referred to your Lordships' consideration: the substance of which suit is to have a warrant directed to some officer to demand and collect fines upon actions of debt and other finable actions to be sued in all other Courts of England (other than the Courts held at Westminster), concerning which your Lordships require us to certify you our opinions in all points at our speediest opportunity. We have therefore, according to your honourable directions, considered of the suit. And do find it a matter of so great importance as we must humbly pray leave to have time to confer with the rest of the Judges, that upon our joint conference your Lordships may have the more full satisfaction both for law and conveniency. Humbly taking our leaves, this 28th of June, 1608.

Your Lordships' to command.

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